

California Historical Society

Quarterly

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VOLUME XIV · VOLUME 4

Recd. Jan. 15, 1936
Q. Ramey

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THE FAMOUS BARQUE *DON QUIXOTE*, JOHN PATY, Master
From the painting by D. Thrum, the grandson of its one-time supercargo,

California Historical Society *Quarterly*

VOLUME XIV



NUMBER 4

DECEMBER 1935

JOURNAL OF CAPTAIN JOHN PATY 1807-1868

*Pioneer Sailing Master of California and the Hawaiian Islands, From
the Original Manuscript in the Possession of His Grand-
daughter, Mrs. Edward Craft Green*

INTRODUCTION

"THE JOURNAL was started by my grandfather on January 25, 1853, while on a voyage from Honolulu to Manila in the brig *Baltimore*. This fact I have secured from a copy in my possession of a letter that my grandfather wrote to his wife on the trip to Manila and which he delivered in person on his return, having found no other vessel that would get it back to Honolulu prior to his return.

"At the outset of this letter he says: 'Last night it was very stormy weather and a rough sea, and I sat up most of the night, and while musing on the past, present and future, I thought what a great source of amusement and perhaps benefit to us it would be to have the history of the lives of our ancestors to read, and finally came to the determination to write my own. And I think you would do as well to write yours. I believe much is lost by not so doing, and that it is really a parent's duty to convey all possible information to their children which may be of benefit.

"'I have commenced mine today [January 25, 1853], and got as far as 7 years old, although it is very rough and hard work to make any kind of decent writing. However, as long as it is legible, it will answer my object.'"

The above quotation is from a letter from Mr. William C. Yates, of Schenectady, in answer to a query concerning his grandfather's Journal, a multigraphed copy of which had been presented to the Society by Mr. Robert P. Singlehurst, of Honolulu, a great grandson. To Mr. Singlehurst, to Mr. Yates and his sister, Mrs. J. J. E. Schuurman, and to their cousin, Mrs. Edward Craft Green, present owner of the original, the Publication Committee is indebted for permission to print Captain John Paty's Journal, and for photographs and other data necessary to round out the life history of their ancestor, who took such a prominent and active part in early California events.

THE PATY JOURNAL

THE FAMILY GENEALOGY

I was born in the town of Plymouth on the 22nd day of February, 1807 ("so my mother tells"), in a house located on the very upper end of Sandwich Street. I have no distinct recollection of anything of importance until I was about five years old. At this time my father lost his right arm by a white swelling. We were then living in a house on Sandwich Street, to the southward of the training green which was built by my grandfather (J. Paty).¹ My father had been a sea-going man, and the loss of his arm prevented him from following his vocation. He afterwards taught a school until his death; he died on the day of—, 1814, aged 33 years, and left six children; viz., Asenath D. [b. 1802], Caroline [b. 1805], John, Henry [b. 1809], Sylvia [b. 1811], and William [b. 1814]. The eldest was 11 years, and the youngest three weeks old. My father died poor and we had to depend on our Grandfather Paty for subsistence. At the time of my father's death, he had living three brothers and two sisters; viz., Ephraim [b. 1783], Seth [b. 1787], Thomas [b. 1798], Deborah [b. 1785], and Sylvia [b. 1796]. My mother's family then living were Thadeous [Thaddeus], Joseph, William, and Patience Churchill. My mother was the youngest of the family and lost her mother when a child. Her ancestors on her father's side were among the first settlers of Plymouth; they landed from the ship Mayflower in 1620.² My great-grandfather immigrated from Plymouth in England about the year 1750.³ He had five children that I know of (perhaps he had more); viz., John [b. 1759], Sylvanus [b. 1765], Thomas, (a daughter whose name I do not know), and Levi [b. 1761]. The former I was well acquainted with; the daughter married a man by the name of Tilly; Levi was lost at sea. John died in 1821, Sylvanus in 1839, Thomas in—. Mrs. Tilly was living in New York the last I knew of her. My Grandmother Paty's maiden name was Fish; my Grandmother Churchill's [Asenath Delano].

A singular occurrence about the time my father died took place. A large apple tree put forth a beautiful large blossom in the month of September. My sister A, who was living with my grandmother said that grandmother told

her that it was a certain sign that some of the family would die with fever. My father told her to go back and ask her grandmother what kind of a fever it would be. He was then in good health (apparently) although died but one week from that date. For a long time after, we all believed that the putting forth of a blossom on a tree in the fall was ominous of some extraordinary event. My aunt, Sylvia Paty, died in 18—; my uncle, Seth Paty, was washed overboard from the Brig Caravan in 1820; my uncle, Thomas Paty, died in 18—. Ephraim and Deborah are still living (1853). Deborah was married to a man named Samuel Alexander. My uncle, T. Churchill, died in 1832; Uncle I. Churchill, started on a voyage to the West Indies in the Schn. and never was heard from; my uncle, William Churchill, died in 1862; My aunt, Patience Churchill, married Mr. Solomon Phinny of Eeliver and moved to the state of Ohio with all their family (six or seven sons) in 1815 or 16. They were a very extraordinary family. All the sons were very enterprising and well educated and I suppose that many of their children are now about the western states as they were all married by the last accounts I had from them.

A short time before my father died, I fell from Mr. Stephen's wharf (near-by our house) and came very near being drowned; was saved by young Mr. John Allen. This was when I was about seven years old.

TO BOSTON IN THE SCHOONER *ROSE*

In 1816, when I was nine years old, I went to Boston first time in a Schn. called *Rose* belonging to my grandfather and stayed there about a month. I shall in writing this Journal mark the names of the vessels I have been to sea in either as passenger or in any capacity.

I went to school first to my father; after his death to my aunt Paty Churchill; then to the town school, to sundry masters. Out of the whole, say some ten or twelve, I do not think one in eight were the proper persons to teach children. I think the method of beating knowledge into a child's head is a hard case. I never was a bad boy in school and the punishments I received gave me a dread of a school master or a school house, consequently I would resort to any excuse rather than go to school. Of course, I did not learn fast, (and I do believe that some of the brightest intellects were kept back by the methods their teachers used in trying to instruct them).

In 1817—ten years old—I saved the lives of two boys; one was my brother Henry, who fell into a mill pond and was very near being drowned. The other was a boy by the name of Morton, who jumped into the water where it was much deeper than he expected. I thought the boy could swim until some of the other boys told me he could not. He was then going down for the last time. I jumped in and caught him by his hair. At that moment he seized my hand with both of his, and, as he did not try to help himself, I found it hard work to keep my head above water. Fortunately, we had about two rods to go before I could touch bottom with my feet. I do believe that if we had another rod to

go we should both have been drowned, and this, I hope, will be a caution to whomever may read this never to take hold of a drowning person, or permit them to take hold of you, unless you know you are strong enough to disengage yourself at will. Use a stick, your handkerchief, or any part of your clothing. I afterwards saved a man's life in Mobile Harbor by shoving an oar to him.

From the time I was eight years old until I was eleven I was my own master. My mother permitted me to do almost as I pleased and what time I was not at school I was generally roving about the harbor in boats, or visiting the different manufacturing establishments about town, and I think I acquired much mechanical and scientific knowledge during the three years I was running at large.

In 1818, when about eleven years old, I went to live in my grandfather's family, where I spent many happy hours, although I had to work hard, but to work for a man like my grandfather was more pleasure to me than it would be to play for some men. He treated me with the greatest consideration and for all the extra jobs I could get with his team, I was allowed to keep the money for pocket money, consequently I was well supplied, and, as he carried on the farming and fishing business, besides keeping store and shipbuilding, I acquired much information during my stay with him. He was a strong, healthy man, six feet tall and a very well proportioned man. He was a stranger to sickness but a few weeks before he died, he rode from Boston to Plymouth in an open wagon in the winter season and took a severe cold which settled on his lungs and caused his death in January 1821.

Alas; this was a sad loss to me. I did not think so much of it at that time as I had cause to afterwards. My eldest sister was married a few months before to Capt. James G. Gleason, consequently she was provided for. My grandfather made his will, and left \$100 to each of us, except my sister A, to whom he had presented her furniture when she was married, and I was not to receive my \$100 until 21 years of age. When I was informed that only \$100 was left me by my grandfather, I was much disappointed, as I supposed he was worth from twenty to thirty thousand dollars. I believe he was found to be worth only eight to ten thousand dollars and his two living sons and daughters received the most of that. I do not believe it was really the old gentleman's will when in a strong sound mind, as I know his previous will made a more ample provision for our family, and I think his mind was influenced by the constant attendance of his sons during his sickness. I do not think that their money ever made them happy, as I regret to say they have been sorely afflicted.

The death of my grandfather produced a great change in my life. I was turned out into the cold world without a penny with two younger brothers and one sister younger than myself and they had but a small pittance to subsist on. My mother wished me to learn a trade which I refused on the plea that I could not assist my younger brothers and sister by learning a trade,

but concluded to go to sea in hopes that in a few years I should be able to assist them, which, thank God, I accomplished.

TO SEA IN THE BRIG *GOV. WINSLOW*

I shipped with my uncle, Ephraim, in the brig Gov. Winslow. I forgot to say that I had made a passage in the Steamer Eagle from Plymouth to Duxbury and back in 1819 (I think).

We proceeded to Boston with the Brig Gov. Winslow, and, after waiting there a month or so, took a freight for Amsterdam, from thence we proceeded to St. Ubes, and from there to Plymouth, where we arrived (I think) in September 1821. This was a sorry hard voyage for me. I was very seasick during the whole passage across the Atlantic and our brig was deeply laden and had a very leaky forecastle, and during almost the whole passage, my bed, pillow and blankets were saturated with salt water and I do not think I ate three pounds of provisions for the first fifteen days. My weight was reduced to 65 lbs. I blamed my uncle much, at the time, for what I considered cruel treatment toward me, although I think boys were treated about in the like manner by most of ship masters in those days. For this reason, I forgive my uncle for his treatment toward me and impute it to his want of discretion and consideration. He knew that I had been nursed in the lap of luxuries as a tender plant with those who cared for me, but with him I was almost without medicine when sick and no one seemed to care whether I lived or died. I hardly think there would have been any tears shed if I died, except by my cousin, Ephraim, who was with us. (Poor Ephraim had a hard row to hoe through life and died in the California mines at last, with hardly a person of his company left to bury him, in 1849.) However, after I got near over seasickness, my spirits returned and I increased in weight to 110 lbs. before our arrival home.

TO THE FISHING BANK IN THE SCHOONER *TYRO*

I never shall forget my sensations on my first arrival, only after an absence of six months. It seemed as though I had got into a world of angels with their smiling faces. I felt quite happy until my funds began to get low, when I found it was necessary to do something, and, not knowing any other way to get money but by going to sea, I took a trip in the Schn. Tyro, Capt. Hutchinson, fishing after mackerel. This was in November after most all the fishermen had laid up for the winter. We were very successful and came into port during a snow storm. This was rather a hard trip, although it was short. However, I felt much more contented in this very stormy weather than I did in the fairest with my uncle. My Capt. seemed to be well pleased with my exertions to do what I could.

I would recommend all parents who intend to send their sons to sea to send them the first voyage in a large vessel and to be extremely careful about the character and disposition of the captain. Some men are angels at home but

devils at sea, or in foreign ports. I have sailed with such men, men who would not only steal from the cargo but take articles belonging to persons who esteemed him as a friend; and these kind of men will rack their brains in trying to get the advantage of any one. They who take flower, lard, candles, etc. out of a cargo are, perhaps, taking it out of the widow and orphans' mouths and, after all is done, they will boast of their famous exploits, their great shrewdness, cunning, etc. And there were some ship masters in those days, say from 1820 to 30, who, to hear them talk when out of sight of their owners, considered themselves of more importance than King George or President Washington ever did. I detest the very name of such men and I would prefer having a son of mine brought up in the Alms House sooner than go to sea with such characters. But, thank God, they never affected the principles of honesty and truth which were instilled into my mind by my mother and good old grandfather. I must say that I never did cheat a person out of a dollar knowingly; neither did I ever tell a falsehood to injure any one. I did once tell a lie to my mother but it was through fear of being punished by my uncle. I hated him so that I would say or do anything almost rather than give him the pleasure of punishing me. I never should have lied to my mother alone.

A VOYAGE IN THE SCHOONER *BANKER*

In February, 1822, I shipped on board the Schn. *Banker*, belonging to our neighbor, Lemuel Stevens. The Schn. was in Boston, and, as our harbor was frozen over, I had to proceed to Boston by land. My stage fare would be \$2 and this I didn't feel like paying as my wages was only \$5 or \$6 per month. The mate and one person besides myself had engaged to go in the Schn. and we were all in Plymouth. Finally, we came to the determination to walk to Boston and send our baggage by the stage. We started in the morning very early and walked about ten miles when it began to snow. Soon after the mate proposed returning home again, the other man agreed with him, and I proposed to keep on as we had got one-half the distance and there didn't appear as though we should have a violent storm and for one-half dollar we could get a supper and lodging at almost any house. The mate got quite vexed at my suggestion and told me to go along if I liked but he should return. I believe he was always prejudiced against me afterwards as he was laughed at by the owner for returning. I do believe that I should have gone on if I had ever traveled that road before. As it was, I was only fifteen years old and didn't like to go alone, and a stranger to everyone on the way. Consequently, we all returned to Plymouth and early the next morning the owner, Mr. Stevens, harnessed his light wagon with two horses and drove us out about ten miles, where he left us and we proceeded on foot. The snow was about one inch deep on the ground and so very slippery that we found it very hard traveling. When about eight miles from Boston, a gentleman came up with us in a sleigh, and, perceiving that I walked lame, invited me to get in, which I gladly ac-

cepted. The horse ran away with him and was but a short time taking us about three miles, where he stopped at a hotel and I marched along slowly waiting for the others to come up. Finally I sat down on a rock as I did not dare to proceed for fear I should get lost and not find the vessel. I waited about half an hour; it seemed to me like half a day. The sun had just gone down and it was severely cold. My shoes were frozen like a piece of horn and I was very lame. My limbs seemed to be almost stiff and it was with much pain and exertion that I could keep up with the others when I started again. We got on board between 7 and 8 o'clock that evening. We found the cabin locked and no person on board. The mate started off after the captain and in about half an hour returned with the keys. We got below finally and struck a light. I asked the mate if we could get our baggage that evening and he answered very roughly, "No, not to-night." I looked around the cabin and saw nothing but empty berths with the exception of the captain's. I had been very hungry during the day but ate a very little, expecting to get a good supper on board, but I found on my arrival that I could not eat anything. I was so completely exhausted. I finally turned into one of the berths on the soft side of a hard board to rest my weary limbs, without any covering except what I wore from home, and this in the month of February. Why the mate could not go to the stage office that evening I could never divine. Had I not been an entire stranger, I should have got my bed that evening. As it was, I passed a miserable night and had to go at work at daylight next morning. The thought of that night puts me in mind of the California travellers, where you take your spurs for the pillow and cover yourself with the bridle. God only knows how much I suffered during the first eighteen months after the death of my grandfather. I then thought that I never would be the father of my children and there were times when I didn't feel as though I could thank my Father for my existence and it would be a pleasure now to follow either of my children to the grave rather than to have them suffer what I have suffered. I didn't suffer more physically than mentally. A stout robust boy would have passed through all my labors and hardships without effecting him but a very little, but I was not accustomed to such a life and such society. The seamen appeared to me like so many semi-barbarians and the captain and officers like so many negro drivers; the captains invested with absolute power on board those who generally abused it.

We took a cargo of rum on board the Banker and sailed for North Carolina. Our cargo was sold in Plymouth, N. C. and a cargo of naval stores taken on board which we took to Plymouth, Mass. Nothing worth anything transpired during the voyage. Our captain was a very good preacher, but, when it came to the practice, he was not there. This was only a voyage of about two months; we got home some time in April.

JOHN PATY JOINS THE SCHOONER *SWAN*; THEN THE *MAGNET*

After being at home a week or so, I joined the Schn. *Swan* and made two trips to Boston in her. I think it was some time in May I joined the Schn. *Magnet* of Plymouth, owned by Mr. Lemuel Stevens and commanded by Capt. John Allen, bound on a fishing voyage to the straits of Bellile [Belle Isle]. We sailed on our voyage and soon filled our vessel with fish and arrived home again (I think) in September. This was rather a voyage of pleasure for me. Our captain and mate were both most excellent men and I never received a cross word or look from either during the voyage, and, when our work was done, we were allowed to amuse ourselves in any way we chose. We had a good living and plenty of it. This seemed to correspond more with my ideas of what should be on board a vessel; this has been my idea of managing a vessel ever since. Why should a man half starve himself and make himself miserable and all others with him merely because he is at sea. It was so with many. The man who would knock down the most sailors, keep them on the least quantity of food and water of the poorest kind and cheat them the most, was considered (by some ship owners) the smartest ship master. There were some very mean ship owners in those days.

A man told me that once on a voyage one of the crew fell overboard and in his endeavors to save him, he broke an oar pulling the boat, and on his return he reported to the owner that he had broken an oar trying to save a man from drowning; his reply was, "Then you ought to pay for it; you had no business to pull so hard." I believe it to be true as I know the man well, and I have heard him tell his own son, "Well, James, you may use a little fat on your fish today"; as much as to say he was not allowed that luxury every day. This man (I think) was finally cheated out of all he had, and died poor. I have been on board a ship myself on a passage from England, when we had neither tea, coffee, nor vegetables of any kind, excepting a little rice twice a week, our beef or pork of second or third quality, and our bread after it was soaked resembled green hide as much as anything. The owner asked me again to go in his ship. I told him I would rather not. He seemed to be quite angry and wanted to know the reason why. I told him that our living was very poor and that we were not allowed potatoes even when they could be bought very cheap. He said that was the Captain's fault. I asked him if it was the Captain's fault that we had such bad bread. He made no reply to this. He knew, and so did I, that it was made of some old damaged flower which he had bought and had it baked into bread for his seamen. I know of many acts of this kind practiced by owners and ship masters and may record some of them as I proceed with this Journal. After my return in the *Magnet*, I stayed at home two or three months and went to school during the time.

A VOYAGE IN THE SCHOONER *DAPHNE*

I finally joined the Schn. *Daphne* of Plymouth, owned by Capt. William Stevens and commanded by Capt. Lemuel Morton, the same person who

commandered the Schn. Banker when I was on board. We sailed from North Carolina (I think) some time in December, 1822. We proceeded to Washington in the South counties. I had visited the Northern counties before and had some knowledge of slavery and I must say did pity them from the bottom of my heart, although I did not know much about the manner in which they were treated. But here in Washington I thought they seemed to enjoy themselves very well. I was walking up one of the streets in the evening when I heard uncommon loud singing. It sounded to me like home spun thunder. As I neared the house, I ascertained that it was a methodist revival among the negroes, and such a meeting I never saw or heard of before. An able pen could have manufactured an amusing story from what was to be seen and heard. They not only sung, prayed and shouted at the top of their lungs, (and some of their voices were no child's cry) but even ripped up boards from the floor, (where there was any) and dove down underneath as they said to get out of the Lord's presence.

On the opposite side of the way was a dance house where the fiddles and banjos were in full blast. You could see the darkies' white eyes and teeth shine like so many pearls on a tar bucket. The company was composed of all sorts of colors and all sorts of capers and shines were being enacted. They seemed to be trying to outdo the Methodist meeting on the opposite side of the way. I do not know which gained the victory. They were tie and tie when I left.

At Washington, we took a cargo of lumber and sailed for the West Indies and sold the cargo at Dominico, took on board some rum and sugar and sailed for Turks Island for a cargo of salt, but when we arrived there, we found it contrary to the navigation laws of England. Consequently we proceeded home, without a cargo. The captain might have gone to any of the leeward isles and got a cargo by not reporting where he came from. The island authorities would not have asked him where he came from as they were much opposed to the law which prevented American vessels from trading between their ports.

Dominico is a high, rough looking island and has a very poor roadsted, the beach is generally rough.

THE YEARS 1823 AND 1824

Some time in the spring of 1823, I made two or three trips to Boston in the Packet Sloop Polly, Capt. Cooper, and some time in this year (I think) my sister Caroline was married to Edward T. Cooper of Plymouth, a brother to Captain Joseph Cooper, who married my Aunt Sylvia some time about 1805 or 6.

In the spring of 1823, I joined the Schn. belonging to Mr. Brumhull. Capt. Hutchinson was our skipper. Our crew was mostly composed of boys about my own age. We went on a mackerel fishing voyage and were very successful. The time passed off very pleasantly. This was the same Capt. Hutchinson that was skipper of the Schn. Tyro.

I had $\frac{3}{4}$ of a share and I made about \$25 per month. During the last cruise, I stepped upon the nose of a teakettle full of boiling water and scalded my foot very severely. Consequently, I stayed home and studied navigation.

In the fall of 1823 I made a trip to Boston in the Brig Chase, Capt. Pope no Capt. Robbins, and a passage in the Sloop Harriet, Capt. Holmes.

In the spring of 1824, I took passage to Boston in the Sloop Eagle, Capt. Pope, and joined the Schn. Albion, Capt. K. Holmes, and made a voyage to Martinique and back to Boston. Capt. Holmes married a daughter of Uncle Ephraim.

(I think) in May 1824, I shipped on board the Schn. Albatross of Plymouth, belonging [to] Paty & Davis, E. Harlow, master, and made a voyage to Bremen and back. This was rather a pleasant voyage, although we had a plenty of hard work. I became so well acquainted at Brock that I regretted much leaving it. I, being a young American boy and my uncle being part owner of the vessel, was much taken notice of and admitted into very good society. The people were very kind and affectionate, and, after we were underway for home, I looked back with an aching heart. Everything was very cheap. The most of the luxuries of life could be had for a trifle, although I did not indulge in luxuries in those days. I saved all I could and was very economical.

TO THE WEST INDIES IN THE SCHOONER *WILLIAM*

In the fall, I shipped on board of the Schn. William of Boston, Seth Doane, master. I shipped as a light hand at \$10 per month. We sailed for Charleston, S. C. with a cargo of merchandise and a cabin full of passengers. When we arrived at C. some of the passengers, who had never been at sea, took us up at a bar room and treated to a glass of punch. They said they did it because we steered the vessel so well to the port where they wanted to go. They supposed the captain always steered the ship and came to anchor every night and all hands went to bed.

From Charleston we went to Martinique with a cargo of rice, discharged a part of it, and took the balance to St. Thomas. From St. Thomas we proceeded to Turks Island and took a cargo of salt and went to North Carolina with it. Here we spent the most of the winter, visited most all of the ports in the southern counties, and went as far into the interior as we could get for bridges. At this place, I was sorely afflicted with dysentery and came very near terminating my earthly existence and I impute my recovery much to the kindness of my captain and mate. We took on board a load of staves and proceeded to the West Indies in search of a market for them. We first made Barbadoes but, as our cargo was not sold there, we went to Antigua, where our cargo was sold. At Antigua, we took in some molasses and proceeded to Baltimore with it. In the Bay (I believe in June) we had a very violent gale from the NE. All that saved us from going on shore was a new hemp cable. I was well pleased with Baltimore; it is a noble city. After stopping there about two weeks, we took a cargo of corn and proceeded to Charleston, S. C.

About two days after leaving the capes of Virginia, we came across a Schn. bottom up. We got the boat out and went on her bottom which was about four feet out of water aft and about one foot forward. We could read her name and found it was the Schn. Herald of Plymouth. Someone had discovered the wreck before us and had cut a hole in the bottom. We got nothing from her and on our arrival at Charleston we found that she had sailed from there about one month previously with about 30 souls on board. Of course not a soul was saved. They could not have had a moment to prepare for death; they must have met their fate very suddenly. I believe all these persons, vessel and all, were lost through avarice or meanness, as ten dollars would have secured the cargo in such manner that it could not have shifted. No doubt the cause of her turning over was by the cargo shifting. What a foolish risk, and should any reader of this engage a passage in a single deck vessel at any season of the year, going anywhere, even up or down a river, I would advise them to ascertain whether the cargo or ballast was well secured from shifting. There is always danger if it is not and I think a person taking passengers to sea in a vessel part full of cargo or in ballast, without having it properly secured, should be liable to a heavy penalty. There is not so much danger in a double deck vessel with the cargo under the second deck. Many vessels, and all on board, have been lost by neglecting to secure their cargo or ballast. I have had two narrow escapes from upsetting, both times while a passenger on board, and I do believe our escapes may be in a great measure attributed to my advice and exertion. It is impossible for a vessel to turn over when her ballast or cargo is well studded down.

At Charleston, we took some freight and passengers home to Boston (I believe in August 1825).

This Capt. Doane was truly a good father to me. I had the care of his watch when he was below and every afternoon at two o'clock I was released from work about the deck and permitted to go into the cabin and write up my journal.

I had been with him eight and a half months and shipped for ten dollars a month and when he paid me off he allowed me \$12 per lieu of \$10, without my asking him for any additional pay. This was a generous act which a very few captains or owners were guilty of in those times. I considered it a present of \$17. He paid me off with \$85. My whole wages amounted to \$102.00. I received a month in advance \$10 and only spent \$7.00 during the voyage which I think was very economical. He asked me if I would go with him again and I told him I would, providing he would not stay at home too long, as I could not afford to wait too long. I did not wait long before he surprised me by writing that if I would be in Boston at a certain time and report myself to the owners that I should have a mate's office with him. I was much pleased at this mark of confidence he put in me, although my mother and sister thought it was too much of an undertaking for one so young (17). But I concluded to try, as I believed

that I could satisfy the captain, although I didn't consider myself much of a sailor, and I was very light and small of my age. However, I went to Boston and took charge of the vessel and had it half loaded before the captain came three days afterwards. He commended me for my industry. We filled up with freight and passengers and sailed for Charleston, where we discharged our cargo, took in another and some passengers, and returned to Boston. Our Schn. was sold soon after, consequently we were sold out of employ and I was paid off: as before at two dollars a month more than I agreed for, and the captain informed me that he didn't know when he should go to sea again but would recommend me to a captain who was bound for Baltimore and in want of a mate and a good pilot up the Bay. When I told him that I had never been up the Bay except with him, he would hardly believe it and wanted to know how in the name of common sense I knew so much about the Bay and got the vessel along so well while he was asleep. I told him it was with the assistance of the American court pilot. "Well," he said, "I thought you had been there half a dozen times at least." The fact was I had a court pilot with me which was formerly my father's and I had read the directions so much that I almost had them by heart, even while before the mast, and I always took every opportunity to improve in navigation and seamanship. I always kept a run of most all the vessels of which I had any knowledge and knew very near what their cargoes cost and what they sold for and also near what it cost to sail a vessel. I have found since that it has been a great benefit to me, these things I studied while before the mast.

While going into Charleston harbor, the captain had to go on shore to report to the Quarantine office, our boat had dried up considerable and leaked badly and came off half full of water, and the captain was in a great passion because the pilot kept the vessel so far off, and jumped on board without paying any attention to the boat or the men in it. The helm was put up immediately, and as soon as the vessel began to go ahead, I thought of the boat and told one of the passengers nearby me that we could not tow the boat in that condition and to stand by to let go the painter. He saw that the painter was jammed and ran to the cook house and got the axe and cut the rope. But he was half a minute too late. The boat had filled and one man washed out of it and drowned. Our captain seemed to take our loss very hard and said he never could forgive himself for getting in a passion and, thereby, causing the death of a man. He was a member of a Baptist church.

Our boat drifted out to sea and was picked up and brought to us. I had painted the Schn. name on her a short time previous to the accident.

Relative to losing men and disasters at sea, I think I can say what but a very few can. The foregoing mentioned loss was the first and only person that was lost or died from on board a vessel to which I belonged for the first eighteen years of my seagoing life (excepting Mr. Winchester who died in the port of Valparaiso) and I may say 20 years as the person who died on board the

Don Quixote in 1839 was nearly dead when he came on board from the hospital in Oahu and died a fortnight out.

I never was castaway, never on allowance of provisions or water, never lost a passenger (but had added to our number), never lost any sails or spars of any amount, or had any amount of cargo damaged, and only got on shore but once where the vessel was injured and that was but a slight injury which might have been repaired at a trifling expense had there been any one in the port to do it. In 1841, I lost my brother, Henry, at sea and about the same time four of my crew (kanakas) died with small pox. This is the only serious loss I have met with to this day, 1853, which I think is something remarkable and I think a parallel case can hardly be found where a person has been on shipboard most of the time for 32 years and experienced so few disasters. I desire to thank the director of all events for his great mercy to me and mine.

I suppose I have had altogether on board from 1000 to 1200 passengers at different times and some have been on board five months.

During the winter of 1825, I made several trips between Plymouth and Boston in the Sloop Hector, Capt. Barnes. The packeting business is hard work in the winter season, however, I didn't mind it much as I had got well accustomed to hard work, exposure to the storms, etc.

I enjoyed myself very much in the long winter evenings when at home. I had always spent my evenings in the company of young ladies about my age from the time I was twelve years old, and I do sincerely believe it has a good moral influence on young men to spend their evenings in such company. I hardly missed a night without being in company from two to a dozen. I would not join in what the boys called a "he scrape," if I could possibly avoid it.

TO LONDON IN THE BARK *PALLAS*

In January 1825, I shipped on board the Bark Pallas, Capt. I. Brewster of Duxbury, and sailed for London in the latter part of the month. The second night out we had a severe gale from the westward, and, although I never had steered with a wheel before, I was kept out two hours as the captain said he was afraid to trust anyone else there. I could always steer well from my first attempt. We had a stormy passage. After the first three days out, it rained, hailed, or snowed every day. I did not take off my boots or pea jacket for twelve days and nights. I used to turn in wet and turn out smoking. We arrived in London in about twenty days from the time we started. After our arrival, all hands were laid up with rheumatic pains and colds, (except the Captain and myself) owing to being so much exposed to bad weather during the passage.

After we had been in dock about one week, one morning our cook was missing. Captain came on board about 10 o'clock, when he was informed of the nonappearance of the cook. He went in the cabin and found his writing desk had been broken open and about \$2000 in gold missing. Captain B. immediately obtained two police officers to go in search of him, and I was appointed

to go with them in order to recognize him. I was three days with them, and this I called my three days of experience, every moment was filled with excitement, I could hardly sleep nights, I was so anxious to be on the tramp again. I had an opportunity of seeing all the worst part of London, and I could hardly believe that such infernal hells and miserable wretches did exist on the face of God's Creation. The first day I was robbed of all I had with me, even two or three pins I had stuck on my jacket sleeve. They would request to see my knife, or my handkerchief, or what change I had, but when I wanted to see them back, they weren't there. They frequently stole my hat, but this the officers made them return. I never shall forget the three days in search of a cook about London dock. If I were an able writer, I would give all the details; the scenes are still fresh in my memory. We hauled our ship into dry dock and had it copered. We were in London about six weeks, and all the leisure time I had I used to go on voyages of discovery, (as I called my cruises). I became acquainted with a poor but pious family; they treated me very kindly. I esteemed them very much and never shall forget them. I never went in company with my shipmates, but alone by myself. After leaving London, we were detained in the downs about ten days with strong westerly winds.

I forgot to say that Captain B. went to Liverpool in search of the cook, and found him after his arrival, in bed and bundled up all his clothes and came away and left him stripped and recovered all his money but about \$100.

After leaving the downs, we went to Lowes where we took in a cargo of iron and proceeded home.

This was a new ship, first voyage, and as Captain B. wished to have her go into port looking well, kept us at work from seven in the morning until as long as we could see at night, and give us poor fare. He use to carry sail very hard, and two or three years after I was with him, he went out with a new ship and has not been heard of since. He was fond of me and persuaded me hard to keep with him; if I had, I should probably have been among the missing now.

After I returned in the Pallas, shipping business was very dull and I could not find a voyage to suit me, and I stayed about home two months, and employed myself in assisting in rigging vessels, etc.

SHOPS WITH HIS UNCLE EPHRAIM

About July, my uncle Ephraim concluded to make a voyage to the West Indies in the Schn. Olivebranch, and offered me good wages and a privilege in the cargo if I would go. I accepted the offer. We took a cargo of fish to Martinique where it was sold. We proceeded from there to Saint Thomas and took on board some sugar and rum, and came home. This was quite a different voyage from what I had with him in the Governor Winslow. I was his righthand man and I believe we were both pleased in every respect.

After remaining at home until (I think) about the first of December, I went to Boston and shipped before the mast in the Brig. Favorite, Captain Stanwood of Boston. She belonged to Messrs. Hart and Ballard. She was a good Brig. of 300 tons burden, was 16 years old when I was in her, 1825, and I saw her in Honolulu a few months since, rigged into a Bark and employed as a whaler. She must now (1853) be near 42 years old.

We proceeded to New Orleans where we lay some time waiting for a freight. We lay on the opposite side of the River from New Orleans, near Mr. Salter's Shipyard, and stripped our vessel and overhauled all her rigging. During our stay there, I saw a sight which prejudiced me much against slavery. A little negro boy, ten or twelve years old, while taking some water to Mr. Salter's workmen, fell and broke the pitcher. Mr. S. was after him immediately. The boy attempted to run away, but was soon caught and taken to the workshop (near where we lay) and tied up by the waist to a beam about four feet from the floor, when Mr. S. took a cowhide and literally skinned his back. He flogged him until the boy could make no more noise. It was certainly a cruel act. I have been considerably among slaves, and I have generally seen northern men use their slaves with more severity than the southern people, although they preach so much against slavery.

We finally took a cargo of cotton and sailed for Liverpool. Had a long voyage of 64 days; our Captain was very careful about carrying sail. A short time after leaving New Orleans, our second officer was turned forward for sleeping in his watch and I was promoted to his office. While at Liverpool, our chief mate was discharged and a man by the name of Donally took his place, who after[ward] married Miss Ballard, daughter of one of the owners.

MATE OF THE BRIG EDWARD

We took part of a cargo of salt and arrived at Boston in the spring of 1827. I stayed about home most of the summer and in fall got a mate's berth on board the Brig. Edward of Thomaston (Maine). Pitcher was Master, Captain Robert Gnow was agent and part owner of the Brig. We sailed for Alexandria with a cargo of lime, which was sold in Washington City, where we delivered it and returned to Alexandria, and in a short time got a freight of goods and passengers for St. Marks, on West Florida. We had fifteen cabin passengers and about twenty slaves. We had a very short passage and it was fortunate that we did, as the passengers found their water and not knowing any better put it in casks which had whiskey in them before; the consequence was that in a week their water was not fit to drink, but owing to our short passage, we had sufficient belonging to the Brig. to supply all hands.

The river was so crooked and narrow we could not well get up to the Fort but discharged into lighters. During the time we were discharging, one night two of our men took the long boat and ran away with her. The Captain came on board about noon the same day and went in pursuit of them. They had

secreted themselves in a marsh among tall grass, and while one of them was peeking out to see if anyone was near, the Captain got sight of him and threatened to shoot him if he moved. The other made his escape. The one he caught was the son of a noted Constable by the name of Reed in Boston. He was a great villain, up to all kinds of mischief. The Captain took him on board and made a piece of rope fast around his waist and hoisted him about halfway up to the main yard and let him hang there about half an hour, then took him down in the forecastle and gave him two dozen with the end of a rope, afterwards put him in prison until we were ready to go to sea, then took him on board and put him in prison in Mobile on our arrival there, and when ready for sea took him on board, kept him at hard work all the time on board, and on our arrival in New York gave him a dollar and told him to clear. It was rather a hard voyage for him. The other man our Captain overtook while riding to Tallahassee in a gig. He got out and gave the fellow a severe horse-whipping and let him go as he was of but little account on board. We took in a cargo of cotton at Mobile and returned to New York.

This Captain Pitcher was a very passionate, profane, vicious, and ignorant man and did not seem to have any stability of mind, and I think was not much respected or loved by those who knew him. He was courting a girl in New York, and I think had promised to marry her, although he always declared to me that he never would. He was, however, married the first night after our arrival in New York. I should pity the woman who had such a husband.

CAPTAIN AT TWENTY-ONE

After the cargo was out of the *Edward*, she was laid up to wait for the agent's orders, and I was discharged and boarded with a Mr. Johnstone about three weeks, and kept his house for him about two weeks while he made a visit to Albany, and enjoyed myself very much in his family. Soon after his return, Captain Snow, agent and part owner of the *Edward*, came to New York and took charge of the Brig. himself, and I shipped again on board as mate. We sailed for Mobile again and on our way touched at Key West and landed a custom house boat. We lay some time in Mobile as freights were very dull and returned late in the spring with our cabin full of passengers. On our way home, we touched on Lookey, and as business was dull in New York, Captain S. concluded to take the Brig. home to Thomastown and have her overhauled and examined, which he did. After being in Thomastown about one month, Captain Snow offered me charge of the Brig. This I thought was advancing rather fast in my vocation and rather declined accepting the offer, but being assured by Captain Snow that he had full confidence in me, I accepted the offer and proceeded on the voyage. This was when I was 21 years old, and was before the mast only about one year previously. This was rather a hard voyage for me, as it was my first voyage as Captain, and being very young, I was ambitious and tried to do almost impossibilities. My vessel sprung a leak

on the passage and was near taking fire. We had a cargo of stone lime on board which is a very dangerous article in a leaky vessel, and all my crew ran away in Mobile and I was obliged to take men out of prison to get home with. However, I sold the cargo well and got a good freight back to Boston, where the Brig. was sold and I was sold out of employ, although Captain Snow had a new ship building and told me if I would go one voyage mate with him that I should have charge the next. This was in December 1828.

One day while laying alongside the wharf in Mobile, a merchant came alongside early in the morning and saw me with my coat off washing myself. Says he: "Steward, is the Captain on board?" I replied: "Yes, sir, he will be in the cabin in a minute. Please walk on board." He did so and after getting in the cabin he began to look about. Finally says he: "Where is the Captain?" I replied: "I am the Captain." "Well," he says, "I beg your pardon. In the name of the Commonwealth what time in life do you Yankees take command of a vessel like this?" "Well," says I, "when the owners think proper to give them charge." "Oh," says he, "the Brig. belongs to some relative of yours." "No," says I, "that is a great mistake; I only know one of the owners and him I never saw nor heard of until only eight months since." "Then," says he: "You deserve credit, but now business." He went on to say that he had freighted my Brig. and that he had received a note from me the day before stating that I refused to take in five bales of cotton which he sent down. I told him, yes, they were round bales and I didn't agree to take round bales at the same freight as square bales. "Why," says he, "there is so few of them you ought not to say anything about them, when you consider that I load the vessel." I replied that I could not deviate from the contract. "Then [you] say you will not take them." "Oh, yes," says I, "for extra freight." "Well," says he, "what extra do you want?" I replied \$5. "My God," says he, "you are old enough to know how to charge. Here is your money," handing me \$5. "Ah," says he, "you are a full blooded Yankee and no mistake." I considered his calling me Steward rather a compliment.

On our arrival at Mobile in the month of September, there was considerable yellow fever still hanging about the city. I left the Brig. about ten miles below the city and walked up by land. It was near sunset when I reached the place and after seeing my consignee I went to a hotel and engaged lodgings for the night. I retired about nine in the evening and found my bed in a large hall room with several others. I lay down expecting to soon be asleep as I was very tired after travelling so far in a warm day, but such continual groaning, first on one side, then the other, that I got about half asleep when I heard quite a stir in the room, and on rousing myself, I got up and inquired what was the matter. They replied nothing, only a man going to see his friends. "Why," says I, "is not someone dying, and what is the matter with him?" One says, "Yellow jack has got hold of him." I understood this very quick and was soon in the street where I continued to walk all night. I think there were sev-

eral sick in the same room but I never went back to enquire. This being penned up with persons affected with such horrid contagious disease is what I very much dread and have endeavored to steer clear of them as far as I possibly could and have succeeded well. I would advice all my friends never to visit a sickly place in a sickly season, for the sake of what they shall gain by it. Many a valuable life has been lost by such foolish risk. Once when a boy I was persuaded very hard by some of my companions to go with them in a fine ship to Havana in the summer season. I told no, I did not wish to die before my time came. They laughed at me and argued that I could not die before my time came whether I went or not. I answered that I did not intend to jump overboard to ascertain whether I should drown before my time came, however, five or six of them went in the ship and three left their bones there. One of them was second officer. They were all fine, robust, young men.

While in Thomastown, I enjoyed myself very well. I formed several acquaintances whom I esteemed very much, especially females. One in particular I fancied very much. I did not visit the place again until after I was married, and it so happened that I visited the house where I was best acquainted soon after the family had done their dinner, although the girl insisted on providing a dinner for me, which I accepted. We sat down together and during our conversation she observed: "Did I understand that you was married?" Says I: "When did you understand that; I was just going to tell you that I was, but you always get to windward of me." "Well," says she, "that's one way of ascertaining whether you were married or not," and seemed to be quite pleased with the idea of having ascertained what she supposed to be a fact and made me promise to visit the family in the evening, as she should invite some of her acquaintances who I would like to see. Accordingly, we were enjoying ourselves until my old Captain came in, when almost the first question he asked was: "Well, John, are you married yet?" "Yes, sir," says I. The girls all looked astonished and most all cried out at the same instant: "Why, you told Miss C. that you were not married." "No," says I, "there must be some mistake. Miss C. did I tell you I was not married?" After hesitating a little, says she: "You did not say you was or was not, but I supposed from the way you spoke you was not, but I do not think it fair to play such tricks," which she spoke gravely. I begged her pardon and told her I had stated nothing but facts and hoped she would excuse me for getting on her weather side once. We all had a hearty laugh, although my favorite was rather dull afterwards, for which I was sorry, as it marred my pleasure for the evening. I never did, neither do I make a practice of such kind of jokes, as I believe they tend to lessen our affections for each other.

I remained about home most of the winter of 1828. I received my legacy of \$100 which my Grandfather gave me and spent it. I do not think it of any benefit to me, as I never felt as though it was what I ought to have had.

MEETS MARY ANN JEFFERSON

During the winter, I became acquainted with my beloved Mary Ann Jefferson, now Mrs. John Paty. She stole my heart and has kept it single to herself ever since, and I think she was partially the cause of my staying at home so long idle. Finally I felt ashamed of doing nothing, although I was not in want of funds.

In the spring of 1829, I shipped as mate of the Schn. William of Plymouth, Captain I. Turner, and made a voyage to Martinique, from whence to Turks Island and from there home with a cargo of salt. Nothing very remarkable transpired during the voyage. Captain T. was one of these (what I call) penny-wise and pound-foolish men. He did not seem to enjoy any of God's blessings or see anyone else. He was very avaricious and rather an unpleasant man to sail with, although he always treated me like a gentleman. He was taken sick the first day out of Plymouth and was confined to his cabin about one week, and during four or five days of this time we had a heavy N. E. gale, which kept me on deck most of the time, as we had only one man who could steer well, and I expected every moment to have our deck swept. He would frequently caution me against going too near Bermuda. I finally told him that he need not distress himself about Bermuda; that I was not going there. "Ah," he says, "a burnt child dreads the fire." I subsequently learned that he was once bound for Bermuda and after looking for it and not finding it, returned home and stated that it must have sunk. The owners concluded to send the cargo to the West Indies, and he started with the same vessel. The first news they had from him, he had run on shore on the Island of Bermuda and lost the whole concern.

After our arrival at Plymouth, all hands we discharged as usual, and about two or three weeks after, they began to load the vessel again for the West Indies and the Captain came for me to get ready. I rather declined going, although I could not give any reason why I would not go. Finally the owners came to me and offered good wages and an interest in the cargo if I would go, also my Uncle Thomas advised me to go. They were all men that I respected very much and wealthy men, and I had about concluded that I would go but told them I would let them know that evening or early next morning, as I was going on a pleasure excursion that day. I did not get back until late, and being sure they would not get anyone else before morning, I did not go to see them that evening, and fortunate it was for me, for early the next morning the Schn. Mayflower arrived, a regular West India trader, and the Captain had died on the passage home; and as I was on my way to tell the owners of the Schn. William that I would go, I met a friend who asked me if I had engaged to go in the W. I told him no and asked him if he thought I could get the Mayflower. He said, "yes, I am almost certain you can, and if you will wait a few minutes, I will go and see the owner." And in half an hour he came back and told me that the owner wanted me to take charge of his vessel immediately.

A VOYAGE TO MARTINIQUE

I took charge of the Sch. Mayflower (I think) in August 1829. She was soon loaded and I was off about two weeks after the William. I arrived at Martinique, found the market dull and Captain T. trying to sell his cargo. I went from there to Point Peter in Guadaloupe. Arrived there on a Tuesday morning, sold my cargo at a fair price, took in a full freight for St. Thomas and sailed on the following Saturday. (This was quick work.) Landed my cargo in St. Thomas, bought some rum and sugar and arrived home ten days before Captain T. I made a better voyage than he had and been less time about it. This was good beginning in the trade. He had a very long passage home and was on short allowance some time before they arrived. They had a cargo all ready for the William and commenced loading immediately and as we had no cargo ready, she was loaded and ready to sail about the time we commenced, and as Captain T. was afraid that I should get to market first, he sailed when there was the appearance of a storm, which came on the day after he left. Since that time, he has never been heard of.

I made a quick and profitable voyage and on my return the owner concluded to send a cargo of fish to the Mediterranean. We were soon loaded and off in January 1830. A fast sailing Schn. called the Glide sailed the day after us for Gibraltar and passed us three times on the passage and finally arrived at Gibraltar two hours before us, and as one cargo was enough at a time in that market, I concluded to go on and look for a market. Consequently I went to Alicant, but on account of some Government trouble I could not sell there and proceeded to Genoa, but found no market there, and still went on to Leghorn, where I sold at a fair profit and took a full freight home to New York. This voyage did not pay any profit, owing to its being so long. It was caused chiefly by the vessel not being coppered and having thin sails. The Mayflower was only about 80 tons, although the duties on her cargo in New York was about \$150,000.00. I had 24 tons of silk goods and about 30 tons of straw bonnets and hats, which paid a high duty.

I returned to Plymouth and was dispatched very soon for Martinique and fell into a very good market, took in a cargo of molasses, which also came to a good market. This was a very good voyage for me, as I loaded part of the vessel. During this time at home, I hired part of my Uncle Thomas' home and provided a house for my mother and sister.

MARRIES MARY ANN

I made another voyage to Martinique and arrived home about the first of August, 1831, and was married on the 18th of the same month and took my wife home on a Saturday and sailed again on Tuesday for the West Indies. During my last voyage, my elder sister died, which grieved me very much. She was all a brother could wish a sister to be.

On the voyage after my marriage, I encountered a severe hurricane near



CAPTAIN JOHN PATY



MRS. MARY ANN JEFFERSON PATY

one of the West India Islands, and made a poor voyage, and on my arrival found the harbor frozen over. It was a hard time but I found a warmhearted wife who cheered my spirits.

The winter set in very early this year and on my homeward passage, I experienced very heavy gales. Carried away the main boom and injured our sails very much. I once got almost in sight of my own home and was driven back in the Gulf Stream again. The vessel's rudder got frozen solid so that I could not steer and we had to heat water to thaw it out. It was intensely cold; two of my men were frozen, one so badly as to disable him from duty. In endeavoring to set a part of the foresail, I got washed down in the lee waist. The water felt quite warm compared to the air. I had not been out long before I looked like a dipped candle, my pea jacket would stand alone. Fifteen minutes was as long as many man could stand at the helm without much suffering. I had to take a regular trick with the others. I kept a constant fire in the cabin and hot coffee on hand at all times. I think it was of much benefit to us. If my memory serves me well, I think I was glad to get home that time. This time, I was, I think, at home some five or six weeks.

1832. I think I sailed again in the *Mayflower* for Martinique, and found a rather poor market, however, the voyage paid a fair interest. I think it was on this voyage that an insurrection took place in Martinique among the slaves.

It appeared that a new Governor had arrived from France a short time previous, from whom the slaves expected new laws relative to their condition and expected much more freedom than they had enjoyed before, but as there was no material change, they became highly exasperated and organized themselves into different bodies and laid a plan to fire the City of St. Peter and then take possession of the whole island. Their plan was to set fire to all the sugar cane in the vicinity of the city and at the same time fire many buildings in the city. The time set for operations was seven in the evening. As it happened, fortunately, the Governor arrived at seven from Port Royal and the leaders in town countermanded their orders until they should hear what the Governor had to say. But their orders did not reach the plantations in time.

I was sitting near the beach in front of a home I frequently visited in the evening, about seven, when I heard the cry of fire and fifteen minutes after it appeared as though the whole city was surrounded in one sheet of flame. There was great confusion immediately and I made the best of my way to hail the vessel, which I did. (We only lay about a cable's length from the beach.) It appeared to me that the boat was a long time coming on shore. While I was waiting for the boat, several negroes passed by me armed. They did not seem to take notice of me and I was glad they didn't, as I expected they would endeavor to stop any vessel from sailing. In order to prevent treasures from being taken away, however, I got on board and made preparations to leave, if necessary.

There was a continual firing all night from musketry and the cane-fields

were burning most of the night. I understood in the morning that the insurgents had been driven back to the mountains. However, the citizens were much frightened, and before night the following day, I had my vessel crowded with all sorts and the hold filled with baggage. They were mostly women and children and as the vessel rolled considerably, they were quite seasick. I pitied the poor creatures.

Martial law was immediately proclaimed and all commercial business came to a stand. This lasted three days, when the times became more tranquil and business was resumed. It was really very exciting times for me. I had sold my cargo and had not received anything for it. If the negroes had succeeded, I should probably have lost the whole of it. On a subsequent voyage, I saw twenty-two of the insurgents hanged, two women among them, and several whipped and branded. Some of those who were hanged showed great courage and said they chose death rather than slavery. One of them turned round while the rope was being adjusted around his neck and exclaimed, "Oh, you cursed slaveholders, you have abused us through life and now you think you are doing your worst by sending us into Eternity, but know you are mistaken, better to die than be slaves to such fiends in human shape. The day is not far distant when you will repent of this work." I do believe in former times the French slaves in the West Indies was much abused.

I forget exactly about the remainder of 1832 and I have no data with me to refer to. I think that I made a voyage to St. Thomas in the fall and went from there to Ragged Island, where I bought a cargo of salt and took it to Norfolk in Virginia, which I sold to be delivered at Alexandria.

I was treated very kindly by the residents of Ragged Island. This island is very properly named. It is ragged enough and the only production is salt and lignumvitae. There were only five families on the island when I was there and I believe that no two of the families did really agree well together. It seemed strange to me that so few families living so isolated as they were should have so much contention among them. However, I have found since that small communities are more liable to disagree than large ones.

I made a very poor voyage to St. Thomas as I found the market a glut with the same kind of articles which I had and unfortunately for me, I loaded half of the vessel myself.

At Alexandria, I took a cargo of flour and sailed for Hartford, and while going up the river, I met Mr. Barnes, the owner of the *Mayflower*, who came on board and went part way with us, and as the wind compelled us to anchor, Mr. B. went up in the Steamer. After delivering my cargo at Hartford, I proceeded down the river to a place called — and took in a cargo of oak plank and stone and proceeded to Plymouth with it. I think it was during some part of the winter that I made a trip to Albany. Mr. Barnes was with me most of the time and had a very pleasant trip of it. In the spring of 1833, I took a freight from Boston to St. Thomas in the *Mayflower* and proceeded from

there to Crooked Island and took a cargo of salt to Plymouth. My next and last trip in the *Mayflower* was to Thomastown in Maine, where I sold a lot of corn and bought a load of lime and took it to Plymouth, and as the West India trade seemed to be of no encouragement to make shipments there and the *Schn.* being too small for freighting business, I concluded to leave her, as I thought the vessel could do better in the fishing business, which business I did not like to engage in.

In order to show the gratitude of some men, I will mention an incident which occurred during my trip to Thomastown. I had a boy (Cook) on board by the name of Bowles. He was about eighteen years old and in heaving the lead, he fell overboard. It was blowing at that time a strong S. E. wind with a rough sea. We lowered the boat and could not find anyone but myself and mate to go in it. We succeeded in saving him, although in a senseless state. After much exertion, he recovered his senses, after being rolled some time on a barrel. Subsequently I fell in with the same person in California on board the ship *Alert* of Boston. They had been firing a salute a few days previous and by a premature discharge of a gun, the man had one of his hands very badly injured, which disabled him from doing duty as a seaman. The *Super-cargo* and the Captain of the ship fitted him up a little store in Monterey, and in order to assist him, I trusted him with about \$50 worth of goods. He seemed to be very grateful for my kindness and spoke of my generous conduct in saving his life some years previous and promised that I should be the first man paid for the goods which I sold him. In a few months after, I was surprised to learn that he had sold all his goods, pocketed the money and left for home without leaving so much as I thank you. However, I have been served the same way by many others since and I have found generally that if you wish to make an enemy of a man loan him money or trust him with goods, although it is not always the case. I have found some who I believe were truly grateful for small favors.

HAPPENINGS OF THE YEAR 1833

1833. After leaving the *Schn. Mayflower* in the summer, I took charge of the *Schn. Columbus* (about 112 tons burden) and while loading for New York, my brother Henry⁴ arrived from the Sandwich Islands. He wished me to buy a vessel in company with him and go out to the Islands, but as I was engaged I could not leave, but proceeded on to New York and delivered my cargo, and while waiting for a freight, I received a letter from my brother stating that he had bought a vessel and wished me to take charge of it. I immediately proceeded on to Plymouth and finally got the owners of the *Columbus* to let me off my engagement with them. However, I had to furnish a person in my place and after much exertion I persuaded my brother-in-law, E. T. Cooper, to take my place. By this I lost \$300, as the *Schn.* made bad business and I sailed her on shares.

SAILS FOR HONOLULU

I think it was the 27th November, 1833, I joined the Brig. Avon⁵ and sailed on the 27th December with my wife and brother Henry and William and two other passengers for Honolulu. The Avon was a fine little Brig. of 120 tons, had excellent accommodation, etc. Our passage was tedious and long to the Strait of Magellan, where I lost both anchors and, blown out of the Straits, lay off and on for five days, when the weather became more moderate and I was enabled to regain the anchorage I had left, but nothing could be found of the chains and anchors which we left there, and after fruitless endeavors in trying to sweep them for several hours, a breeze sprung up directly into the narrows and the tide making in at the same time, my kedje (which was all the anchor I had) would not hold. Consequently I called the boats on board, took up the kedje and made all sail into the first narrows. The wind continued fair during the night but I was very anxious in mind, as I considered it a great risk in running through the Straits without chains or anchors. At daybreak, I heard the joyful sound of Sail Ho. I immediately steered for it and found it to be a Baltimore Schn. about the size of our vessel bound home. From her I procured a chain and anchor which answered very well for the Avon. (The Captain could not set a price for it but left it with the owners of the Schn. to charge what they pleased. They charged \$1000 but I think only received \$700, which was a high price for it.)

I had the anchor on board a short time before I had to drop it as the tide and wind both came ahead. At this time, we were out of fire-wood and very short of water. The Avon was fitted out by Mr. Henry Bardit of Boston, whom I considered a very mean, lowly man. He gave us beef of miserable quality because he bought it cheap; it was really a green color, and short allowance on most articles, and I shall never forget the advantage he tried to take of me subsequently.

The following day, we anchored in Sandy Bay, where we filled our water and got a good supply of wood. Soon after, a breeze sprung up and we proceeded on, but owing to strong adverse winds, we had to anchor in the harbor near Cape Froward. On the following day, we made a start and in passing along fell in with a canoe, containing a woman and two or three dogs. We presented the man with a shirt. He put his legs through the sleeves and tried to put it on that way. Mr. Winchester, one of our passengers, gave him another, which he clapped on over the former, not presenting the woman with either. We had a tedious time beating up to Port Gallant, where we came to anchor, and my two brothers went on shore with Mr. Cooper, the second officer, and two men. They came on board and reported that there were about 40 Indian in huts near the beach who appeared friendly. On the following morning, my two brothers, with the same crew, went on shore on the opposite shore of the harbor in order to cut some small spars, and while engaged in this occupation, almost the whole tribe of Indians went over where they were,

armed. Our men discovered that their intentions were to capture [or] attack the boat and gave the alarm to my brother. They all ran to the boat and shoved off and I think had a narrow escape from being murdered. My brother H. wished me to haul in near the village and fire on them, which I declined, but had my three guns charged with musket ball and springs on my chains and a watch kept during the night. I discharged a gun the evening previous directly over my wife's head, which so frightened her as to cause her much suffering for several weeks after. Finally after lying there about 40 hours, I got under way and beat up to Charles Island and made fast to a tree with an anchor on the bottom in deep water near the beach. During the evening, a Schn. from Stonington called *The Everline*, Captain Lewis, on a sailing voyage, anchored near by us and came on board and gave me much information relative to the Straits. On the following morning, we both left our anchorage and beat up to a harbor near the West end of the Island, which I found to be a very snug place of anchorage. It was blowing quite a gale outside but inside it was quite calm. The next day we both started again to beat to windward and in the afternoon the Schn. disappeared apparently among the cliffs. She was ahead of us some three miles. Soon after I discovered her location; it was about like a storehouse well sheltered from all winds. I followed her example and went in and anchored also, as the wind was very light and baffling.

In the morning, I started again with a light westerly wind and about noon sent the boat into Manon Bay to see if they could discover good anchorage there, but before she could return, I had a fair wind and the boat came on board, squared away and ran out of the Straits with a fine easterly wind. We had very thick weather almost the whole distance from this to Valparaiso and much light northerly winds. We lay in Valparaiso (I think) ten days, and while lying there Mr. Winchester was taken sick and died while we were towing out, consequently I returned again and buried him in Valparaiso.

While in Valparaiso, we were treated with much kindness by Mr. Bispham and Mr. Chancy (the head men of the House of Alsop and Company). They invited us on shore and gave us a well furnished room and made us as comfortable as possible.

We arrived in Honolulu (I think) some day in May, 1834, where we were well received by Captain Hinckly⁶ and family. Soon after our arrival, Captain H. chartered the *Avon*, took in a charge and proceeded to California and I remained in his store on a salary during his absence. Captain H. returned in November and the Bark *Don Quixote* (a vessel he was interested in) about the same time. Soon after, a whale ship called *Helvetias* was wrecked on Diamond Point and oil saved from her was freighted to New London by the *Don Quixote*.⁵ At this time, my brother and myself sold out our interest in the *Avon* and I bought one-fifth of the *Don Quixote* and took charge of her.

BECOMES AN OWNER OF THE *DON QUIXOTE*

I had full a freight and as many passengers as I could well accommodate. We sailed (I think) in January, 1835, and had a very unpleasant time getting home, had to put into Valparaiso to stop leaks, etc. We arrived at New London on the first day of July. I had for passengers, Mrs. J. Paty, Mrs. Shepard, and three children, Captain S. Barker, Captain John Stetson, Captain Geo. Brewster, Captain Merrill, Mr. Thomas Hinckly,⁷ Mr. Stephen Mackintosh, Mr. Samuel A. Cushing and Mr. Hardy Pierce. After discharging my oil at New London, I went round to Boston with the hides which were consigned there. I got the Bark put in good order and put her up for Honolulu. I soon had a full freight and S. D. Mackintosh and lady, two Misses Smith, two Mr. Hubbards (who died at St. Catherine, they were twin brothers about 19 years of age and died within 14 days of each other), Mr. S. A. Cushing, Mr. James Mackintosh. This was also a long tedious passage and arrived at Oahu in February, 1836. Left Boston in September, 1835.

I will here try to show the result of a man seeking popularity or notoriety and one seeking riches. One of my passengers came away from Boston with some \$15,000 or \$20,000 worth of merchandise, well selected for the Sandwich market. He had been in the trade and educated as a merchant, was industrious and efficient in his business, but his whole sole object seemed to be notoriety. The goods were not his own but consigned to him to sell on a commission. At the end of four years, his money and credit was gone and he returned to Boston owing his consignee some \$8,000 (so I understand). His propensity to gain notoriety or to hear the name of a Big Bug cost him all his earnings and left him in debt and I do not think he gained much applause from his acquaintances for his conduct.

There was at the same time a man came out with me in the *Don Quixote* as Seaman and Carpenter, who lived in the fore-castle and was on wages at \$14 per month. He had a small adventure of \$200 or \$300 value in goods. He was a very industrious man and his whole object seemed to be to get money. He paid little or no attention to notoriety or popularity but went on earning what he could and saving what he earned. The consequence was that he gained notoriety and popularity as fast as the other man lost it. He remained at the Islands about six years and I understood when he went home was worth \$40,000.

I believe many young men are ruined by trying to make themselves conspicuous or famous for great deeds of liberality, etc., which they cannot afford, and trying to imitate the rich. I once knew a young man of this kind who actually owed \$10,000 more than he could pay subscribe \$2,000 to build a Theatre, from which he could not think of receiving any benefit. I say no to this show of greatness. Let a man get money and notoriety will follow and respect if he gets it honestly.

IN BOSTON AGAIN

During my stay in Boston, I sold my fifth of the Don Quixote for \$1,400 as she stood before any repairs were made on her. I cleared about \$1,000 by the operation. I invested all the funds I had in goods and received many consignments by which I did well with for the owners, but for my own account it turned out bad, owing to my trusting goods to men who were not good pay, although I supposed they were at the time I sold them the goods. Captain W. S. Hinckly had about half of my goods and Mr. Wm. French⁸ the other half. Captain H. promised me that I should have my pay in the coming fall, as also did Mr. F., but when the fall came, Captain H. came from California with next to nothing but the vessel and I got Bills of Exchange from Mr. French on merchants in Boston, which were protested. This was a great disappointment to me, as I was expecting to return home in the fall with my full proceeds of my invoices. I found I could not get anything from Hinckly in Oahu and concluded to go to California in order to collect some notes which Hinckley had against some persons there. This was the only chance I had of getting anything, and at the same time H. was owing my brother Henry some \$3,000 and myself \$5,000. Consequently my brother having a vessel of his own, we took some \$10,000 worth of goods and went to the coast where we arrived in May, 1837, in the Schn. Clarion.⁵

IN BUSINESS IN CALIFORNIA

Soon after our arrival, my brother sold the Schn. to the Government and trusted out the goods mostly. I took a few of them in a store in Monterey, where I remained selling them about seven weeks until the arrival of Captain Hinckly [in the brig *Diana*]⁵ from Columbia River. When he came, I went on board and took passage with him down the coast in order to collect notes which H. had made payable to me. They were payable at San Pedro. Mr. Temple,⁹ one of the parties, was willing to pay his note after deducting some other accounts which H. owed him, and the other had but little to pay with but promised to pay in the next year. Consequently I got about \$2,000 out of the five that year. I was obliged to take anything I could get and at any price. From Los Angeles I rode up by land in company with Captain H. On my arrival at Santa Barbara, I made arrangements with my brother H. to proceed to Boston in the Ship Sarah and Caroline,⁵ which was to leave in six weeks, and was then loading at Santa Barbara and as Captain H. promised to turn over a lot of goods at Monterey on account of what he owed my brother, I went up with him by land. It was a very tedious ride for me, unaccustomed as I was to that kind of traveling. I rode 90 miles one day, but when we stopped for the night, I was so tired that I could not eat for some time. I found that Hinckley had deceived me again and that about all the goods he had in Monterey were promised to other persons. Consequently I returned to Santa Barbara expecting to leave in a few days for home. On my arrival I found Mr. J. C. Jones¹⁰ there from Oahu. He was half owner in the Diana and offered

Henry and myself half of her cheap if I would return and take charge of her. We agreed to this proposal and as the Ship *Rasselas*⁵ was there and bound for Monterey, Mr. Jones and myself took passage in her. Captain J. O. Carter¹¹ was master of the Ship. Mrs. Carter was with him. On our arrival at Monterey, I found that Mr. Jones could not get Captain H. to give up the Bark, consequently I declined taking half of her and wrote to my brother at Santa Barbara stating the facts. He wrote me back that he should take passage to Honolulu in the *Sarah* and *Caroline* to try to get a vessel there to take our hides off the coast. My plans for getting home were all annulled for the present. I remained at Monterey two or three weeks and then proceeded to San Francisco in the *Diana* with Hinckley. I made out to get a few hides from him, but a very few and very hard work at that. We lay at San Francisco five or six weeks; this was in the winter of 1837. There was but one building at that time in the place, which could be called a house and that was unfinished and stood nearly one quarter of a mile from the water. What a change now (1853). The weather was very stormy while we lay at this place and consequently I could not do much in the way of selling goods. Finally I took passage in the *Rasselas* back to Monterey to await my brother's return from Honolulu.

During my stay in Monterey, I was treated very kindly by Mr. Larkin,¹² Mr. Watson,¹³ Mr. Stokes¹⁴ and Mr. Spence,¹⁵ generally lodged at Mr. Larkin's house and took my meals anywhere I could get them, as there was no public house in the place.

THE ALVARADO REVOLUTION¹⁶

I should have mentioned before that while in Monterey the first time I lived with Mr. Spence and occupied a part of his store, and a few months previous to this, the Californians had revolted against the Mexican Government and drove out all the Mexican officers and a large portion of the Mexicans, however, a few who promised not to take part against the Californians were permitted to remain. And at the time I was in Monterey, most all the California troops had gone down the coast to Los Angeles to allay some trouble in that quarter. The Mexicans in and about Monterey took advantage of their absence and retook Monterey. It so happened that a company of about 20 foreigners were then not far from Monterey on their march to join Alvarado (the California Governor) at Los Angeles; the officers in Monterey sent word for them to return to Monterey, which they did, and as soon as the Mexicans found that they were returning, they shut themselves up in the fort. They took plenty of drier beef with them and two barrels of Spanish brandy, but a small quantity of water, which was soon exhausted, and they did not dare venture out after more. On the third morning after taking possession of the fort, the party of foreigners came in and immediately marched up to the fort headed by an American named Graham.¹⁷ Mr. Spence, knowing the fact, rushed up to the fort and advised the Mexicans to give it up, which they did

with much reluctance. I was in the fort a few minutes after and such looking objects I never beheld. They had been drinking freely of the brandy for want of water, and many of them crying drunk. Their faces were very much soiled and the tears had run down and left visible marks on their faces, and their eyes were quite red with watching and drinking brandy; although they were the most ludicrous set of men I ever saw, however, there were no lives lost. Some were imprisoned but the most of them were set at liberty with a promise never to do so any more. I had an opportunity of seeing something of the Mexican character and also of the character of the Californians, and of the two I give the preference to the Californians. I think them much more honest than the Mexicans. There seemed to be a deadly hatred between them and well there might be, for the Mexican Government was continually sending officers among them who did not care a farthing about the interest of the country, but got rich by cheating the Government and then returned to Mexico to enjoy their riches.

My brother Henry arrived about the last of January in a small Schn. [the *Thetis*]⁵ about 50 tons, which he chartered from the S. I. Government at a high price. We proceeded up the coast to San Francisco, where my brother concluded to stop for a while, and I took charge of the Schn. and returned to Santa Barbara, where I took in a cargo of hides, etc., and sailed the first day of April, 1838. We had a long and tedious passage to Oahu, as the Schn. was a very dull sailor in light winds and when deeply loaded. I found on my arrival that my brother William had just bought a Schn. of only about 40 tons. I told William that the vessel was of but little use on the coast to us and he had better sell her and get a larger one. The Schn. would have answered my object well enough, but for Henry's interest, she would be of little account. However, I took charge of it and commenced loading but soon ascertained that the Government wanted to sell the Bark Don Quixote.

THE PATYS REPURCHASE THE *DON QUIXOTE*

I forgot to mention before that after Captain H[inckley] returned from California in the fall of '36 that the Don Quixote was sold to the Sandwich Island Government for \$10,000; a few months previous to the sale, I bought one-fifth of her for \$1,200.

I immediately told William that he ought to buy her, if possible, and after much bartering with the Governor, he finally bought her at \$9,500 and sold the Schn. for \$200 more than it cost.

I took a quarter of the Don Quixote* and took in some cargo and started for California and arrived at Santa Barbara some time in July, when I found Henry. He was much pleased with the vessel. We sailed in a few days for Monterey to enter our vessel. We then took in what goods we had in Monterey

*We called the D. Q. the Plymouth on her trip to Cal. but changed it again on her return.—J. P.

and sailed for San Francisco, touched on our way at St. Cruz [Santa Cruz] and took on board some lumber. We stopped a few weeks at San Francisco and then returned down the coast and touched at different ports to trade. The system of trade was very bad on the coast at that time, most all goods were trusted on a year's time, consequently we made more debts than we collected. I stopped at Santa Barbara to sell what we had there while Henry took the Bark to St. Pedro in order to collect some debts there. On his return, we took in our hides and tallow and some freight, which made a full cargo, and 30 horses on deck. We got all our horses safe to Oahu and sold them very well. We had not hides enough to fill the vessel and there was but little freight, and I was very anxious to return home as I had been absent more than three years. And while we were deliberating on what to do, the whale ship Oscar got ashore on the reef and was condemned, and [we] got half of her cargo of oil home on freight which filled us up, and we started some time in January, touched at the Society Islands on our way. My brother William, Captain Daggat (of the Oscar), Mr. F. D. Etherton¹⁸ and Mr. Eli Southworth¹⁹ were passengers.

While lying at Tahiti one dark, rainy night, some thief or thieves, came under our stern and stole from our cabin windows the drawer out of my brother's writing desk containing his journal which he had kept for about four years, and the ship's nautical Almanac and a hat and jacket belonging to Mr. Southworth, which we have not heard anything of since.

HOME TO BOSTON AND BACK AGAIN

From Tahiti home, we had a fine passage of 90 days, making the whole passage from Oahu to Boston 113 days. We got home in May and found all our friends well and glad to see me return again. I had been gone three years, eight months, and had a son born about one month after I left, which lived until he was about two years old. Of course, I never saw him, which I regretted very much. We were at home nearly two months and during the time we topped the Bark and William got married to Miss Martha A. Paty, a daughter of Captain Ephraim Paty (our uncle) of Plymouth. We finally filled the Bark with freight and goods of our own and had for passengers, Mrs. Wm. & John Paty, Wm. Paty, E. Goisner, T. Cummins & son, two Misses Warren, Mr. Atherton, Mr. Toty, and a Mr. Fisk and Mr. E. Southworth, twelve in all. We had rather a pleasant passage to Valparaiso, where we arrived in 97 days from Boston. The fast sailing ship Congress left New York four days before us and arrived at Valparaiso eight days after us. We were very kindly treated by Captain Walsh and his family while at Valparaiso. We left two of our passengers at Valparaiso, Mr. Atherton and Mr. Fisk. We had a pleasant passage from there to Oahu of 31 days. On our arrival at Honolulu, we found that brother Henry had gone to California in the Schn Morse,⁵ which Mr. H. A. Pierce²⁰ and himself had bought, and as Mr. Pierce wanted a vessel, we chartered him the Don Quixote to proceed to California and there wait for the

ship *Alciope*⁵ to arrive from the N. W. coast and then proceed to Mazatlan and from there to return to Oahu and from Oahu proceed to China and back to Oahu. And as Mr. Pierce wished to go to Maui first, I got underway at sunset and arrived at Maui early Sunday morning and lay there all day Sunday, got underway about 11:00 p. m., and was at anchor off Honolulu at sunrise Monday morning. I think it was the shortest trip ever made at that time and I do not know of any shorter since. We brought the King²¹ and his suite down with us, about 20 of them.

CALIFORNIA EXPELS THE FOREIGNERS

We lay at Oahu two days and took some little freight and Mr. L. Chamberlain (missionary), Mr. F. Johnson,^{21a} Mr. P. B. Marshall, Mr. Farnham,²² Mr. McClerg^{22a} and Mr. Hall as passengers. Mr. Chamberlain^{22b} took passage for his health and Mr. Johnson acted as Super-cargo. All the others were bound home to the U. S. A. We also had Miss Marie Warren, who took passage to California to see her father. Seven of them and only two are living of the number and the mate Mr. Stokes is also dead. We had a rough passage in the month of March, and when we arrived found the *Alciope* had not yet arrived. As we did not want to incur the expense of paying tonnage dues at Monterey, lay off and started to go on shore in the boat with four or five passengers. I soon after saw many persons gathering about the beach and fort, and on nearing the beach, I met a boat coming off with two or three officers and some soldiers. They hailed me and ordered to return on board but as I knew the parties, I got permission to land and I learned that a few days previous that nearly all the foreigners in the country had been arrested and put in prison. It appeared that the Californians were afraid that the foreigners would take possession of the country, as there had been some threat to do so, and they were much frightened at our coming in at that time with passengers and no cargo. I believe they thought that we were concerned with them, however, as they would not permit us to anchor without paying the tonnage dues, we stood out to sea again, and after lying off the port three days, returned (still no *Alciope*). At this time they were embarking the prisoners to send to Mexico and seemed to be as much frightened of us as before. We got a quarter of fresh beef and put out to sea again. We lay off two days and it was very rough weather so that we were very uncomfortable. Finally Mr. Johnson concluded to enter the vessel, accordingly we went in and came to anchor and an entry. Two days after, the Ship *Alciope* arrived. Mr. J. got what he expected from her and we went on our way to Mazatlan where we arrived in eight or nine days, and after lying there two days started again for Oahu. Had a fine passage of eighteen days and found all my friends well. During my trip, brother H. had been to Oahu and left again for California as passenger in the same vessel which had been sold to Captain H. D. Fitch.²³ On our arrival at Oahu, Mr. Pierce wished to give up the Charter, which he did, and I proceeded on a voyage to

California again, met brother Henry at Monterey. This was some time in July, 1840. We made several trips up and down the coast and settled up nearly all our accounts on the coast. I took Captain Hinckley's note for \$260, which was what he owed me after taking everything I could get at his own price. My brother H. also got most of his dues in the same way and we returned to Oahu in the fall of 1840, and left again in January, 1841, (I think) for Valparaiso. Brother H. was with me and we had a Roman Catholic Bishop (Frenchman) with two native boys and a servant and Captain Sullivan, Mr. Eli Southworth as mate. We touched Tahiti and lay there about 14 days, at this place I was quite sick for several days. We took a daughter of Mr. Morenhaut²⁴ to Valparaiso to go to school at the place. She was about 11 years old. I saw her in San Francisco about two years since with her father. She seemed to be a fine accomplished lady. We lay at Valparaiso about one month and succeeded in obtaining a good cargo for Honolulu. The house of Alsop and Company trusted us with quite an amount of goods and several others. We had a good invoice from Captain Walsh also.

SMALLPOX AND A SUICIDE

About one week before leaving, one of our crew, an Hawaiian native, fell from the main top-sail yard and caught on the main yard; he was not seriously injured although bruised considerably. Three or four days after, I let him go on shore on liberty and it appears that while on shore he contracted the Smallpox, as after we had been out a few days, he was taken sick with it. We had at this time seven S. I. natives on board, which I excluded from him as much as possible, but five of them took it and died; the other two had been vaccinated the year previous; they were slightly effected with it. I had one Englishman who had had it once but took it the second time but had it lightly. Fortunately my cook and steward had it, and were not sick. My brother H. was quite unwell and finally became delirious. I was quite sick also and Mr. Southworth was slightly unwell, in fact we were nearly all sick. The second mate (Mr. Jones), cook and steward and one man was about all the well persons that were on board at one time, and at this time we had a gale of wind from the west and very dark weather and the same time surrounded with reef and low sand Islands, and only four men able to go aloft, and I was obliged to haul myself upstairs by the railing, in fact I was not able to leave my berth. This was the most trying time I ever saw at sea. Brother H. grew worse and in an unguarded moment destroyed himself. I really thought then that I should not live 24 hours, but as a gale came on that night and caught us in a dangerous situation, the safety of the still living diverted my mind in part from the thought of the dead and seemed to give me more strength, both body and mind. (A gale always stimulates me to exertion.) I had my brother sewed up in canvas and carried him to Tahiti, but was not allowed to bury him on shore.

I had one lady passenger from Valparaiso, a Miss Bridge from Charleston. She was a person I esteemed very much. She had been sick in Valparaiso but had quite recovered when we left and continued so until she missed some men and inquired where they were, and was obliged to tell her that they died with the smallpox; she had had the same disease only about a year previous but on knowing that this horrible disease was on board, she became quite unwell immediately. This shows how much imagination does effect the health of persons. I think it was my troubled mind which made me sick. When we arrived off Popieta [Papeete], I set a signal of distress. It was not seen on shore until the pilot came off and he did not observe it until I told him the cause and ordered him not to come on board. He was then just getting over the rail but made himself scarce very quickly. I requested him to go on shore and inform the American Consul (Mr. Blackley) of my condition and request him to send a doctor and four seamen, and to get permission from the authorities for me to anchor at some place. In about an hour, a boat came off with two English doctors and Mr. Bridge, the brother of my passenger, Miss Bridge, and soon after two white seamen came on board and brought orders for me to anchor in Tonoa Bay. The boats left soon, leaving the Doctors and men on board, and during the night I beat up to Tonoa and came to anchor next morning, and moved the Bark stern to the wind and commenced cleaning and fumigating the ship. I had all the berths taken out of the forecabin and scrubbed in the long boat under the bows, then commenced aft and fumigated the vessel thoroughly, and by direction of the Doctor we lay at this place (I think) 12 days. This was 21 days after the death of the last man by smallpox. I got underway and ran down to Popieta harbor and anchored just outside the little island in the harbor, where I lay about eight days, and as I found that the authorities would not permit me to land my cargo, I shipped some seamen and took five or six more passengers and sailed for Oahu. I forgot to say that I had two gentlemen passengers, a Mr. Durick of Ireland, and a Mr. Lyon of Boston. They also were quite unwell while we had the smallpox on board. We had a fine passage to Oahu of 18 days and found my friends all well there. We had no more signs of the disease on board, although I have understood that one of men which I employed on board at Tahiti was taken sick with it the day after he went on shore and died, and also some 25 or 30 natives died with it. This always remained a mystery to me how the man got it on board. I expect that something belonging to those who died was secreted instead of being thrown overboard (according to my orders) and taken on shore. The Doctor had pronounced the vessel free from the contagious disease and I was informed had to leave the Island in consequence of its breaking out again.

THE EFFECT OF HENRY PATY'S DEATH

The death of Henry discouraged our affairs. We had a large amount of goods to sell and at that time they were not much wanted in Honolulu, and after a

while I was persuaded by William and Mr. Southworth to make a voyage to California in order to sell the goods and I reluctantly agreed to do so. We then formed a company under the firm of Paty and Company, consisting of myself, William Paty and Mr. Eli Southworth. We sailed for San Francisco some time in July or August, 1841. Captain E. Grimes²⁵ was a passenger with us. We had rather a long passage (I think) 28 days; I anchored in Ross in order to ascertain if there was any wars in California and the state of the market, but could learn nothing as there was no one who could speak the English language and I could not understand them. I lay there one day and night, and was glad to leave, as it is a very rough place to lay at. I ran direct to Monterey where I entered my vessel and cargo and from there went to San Francisco. The American Exploring Squadron²⁶ were lying there at that time. I lay at San Francisco sometime and in November a French Brig. was wrecked on the point of Res [Point Reyes] (or near it). I went out with the Bark and took all that was saved and brought it to San Francisco. I then went [down] the coast as far as St. Pedro, trading on the way but found it slow and hard work, as there was but a very little money in the country, and hides were very scarce, however, I picked up part of a cargo and returned to Honolulu in 1842.

THE FIRM OF PATY, McKINLEY & CO. IS FORMED

I stayed at Oahu about one month and returned to California again and on the first of January, 1843, I sold half of the Bark to James McKinley,²⁷ John Temple and Henry D. Fitch, and we went into co-partnership in the trade on the coast. We opened a store²⁸ in San Francisco and traded up and down the coast. We left Mr. Wm. H. Davis²⁹ in charge of the store and McKinley opened another store in Los Angeles in company with C. Fluyge [Flügge].³⁰ In 1844, I got quite blind by measuring lumber on a white sandy beach in a very hot sun and going on board in the evening after the cold fog had set in and I think that in straining my eyes to see the vessel through the cold fog I took a very severe cold in them. I was not aware of it at the time but got underway that night to go to San Francisco and after I had got out of the bay I went below to copy my memorandum but found to my surprise that I could not see well enough to do it. I went on deck to try my eyes by distant objects and it was true that I could hardly distinguish one man from another the length of the vessel and in a few weeks I found that I could not read writing or print unless it was very large, but with the help of magnifying spectacles I could get along slowly with it, consequently I had to give up writing and reading and during this time our company business was going in a way which did not please me. After about eight months, my eyes got a little better so that with much labor I could make out to keep my accounts again, and in the fall of 1844, I informed McKinley and the other parties that I did not wish to continue in the business any longer and in the month of February, 1845, I bought out their interest in the Bark and all the outstanding debts on the

coast. Mr. Wm. H. Davis agreed to take (I think) one-half or one-quarter of them with us. He afterwards declined, for which I was very sorry.

THE *DON QUIXOTE* TAKES MICHELTERENO TO MEXICO

About the same time that I bought out the other parties, I bought also their half of the vessel, and two days after she was applied for by the California Government to take troops to St. Blass [San Blas]. It appeared that the Mexican General (Michelteroeno)³¹ and the Californians did not agree and had a battle³² near the town of Angeles where I was, and the Californians it seems made a treaty with the Mexican General which treaty specified that the Californians were to furnish a vessel to take General Michelteroeno and all his troops which wanted to leave the country to Mexico, and fortunately for me it so happened that I had the only vessel anywhere near that could take them, and after bartering with them two or three days, I finally agreed to take them (about 220 for \$11,000, \$3,000 cash down and good security for the balance.) I was to take the General and troops to Monterey and then take on board the balance of the officers, their wives and troops, which I did, and I think there were altogether about 240 persons. I had 15 officers, 7 women, 47 children and one born on the passage. The General and his lady occupied half of the house on deck and lived by themselves. I had no trouble with them; they were very quiet and orderly on board. They found and cooked for themselves. They were on board about 30 days when I landed them, much to their satisfaction, at St. Blass. When I passed through the streets, they would cry out, "Viva, el Captain, Viva"; from St. Blass I went to Mazatlan where I purchased a few goods and proceeded on to St. Pedro where I had left my wife and two children. I arrived some time in June and took my family on board again. My family had been left on a previous time with the family of Captain Wilson³³ at Santa Barbara, where they stayed some three months, and while there both of my children were very sick. Captain Wilson and all his family were kind to them.

After taking on board my family at St. Pedro, I proceeded up the coast touching at different trading places as I passed along, and after arriving at San Francisco, we collected all we could and took on board the balance of goods and proceeded down the coast, touching at all the intermediate ports until we arrived at San Diego, where we salted our hides and took all there was belonging to us on board and sailed once more for Honolulu. On our arrival, we stored our cargo and began to fit out again soon after for the coast. I expected that Mr. Davis was going with me, according to his agreement, but for reasons best known to himself, he wished to be liberated from his agreement, and of course, I let him off, however, I was very sorry to part with him, as I depended on him to collect the outstanding debts, as many of them were his own contracting and it was hard work for one to collect the debts of another's contracting. The Californians do not understand it and I had a very

hard time of it, as nearly all debts contracted with country people were negotiated either by Davis or McKinley. Davis immediately after joined the Brig *Euphemia*⁵ in company with E. and H. Grimes³⁴ and sailed the same day with us for California.

THE VOYAGE FROM MONTEREY TO ACAPULCO

I arrived at Monterey some 20 days before he did and sold some of my goods and put the balance on shore in charge of my nephew. I then made a contract with the California Government to take a Commissioner and servant to Acculpo [Acapulco] for \$3,000, and I was guaranteed a freight back of \$30 or 80 tons at \$60, and I had the privilege of bringing anything else I wished and all the passengers I could get. The prospect was good for a good voyage. I was to lie at Acculpo 20 days and bring the Commissioner back if he wished to return. On my arrival at Acculpo, I heard that there was a probability of war with the United States and a few evenings after I heard the bells ringing and fire-works ascending and voices crying out "Viva, Mexico, Viva." At this time (about 8:00 P. M.) I had on board a lieutenant in the Mexican Navy; he had been arguing before that the U. S. A. could not take possession of Mexico and now he desired to go on shore. I requested him to send off word by boat what the news was on shore, and when the boat came they reported that the Mexicans and Americans had met and the Americans were most awfully whipped, a great many killed and many taken prisoners.

I forgot to say that when I was last at Honolulu the King saw fit to give me a commission as his naval supervisor and requested me to see to the welfare of the Hawaiian natives in California and Mexico.

When I entered the harbor of Accapulco, the wind was light, I wore the Hawaiian flag and pennant and as the flag hung down, they could not tell it from an American. They supposed it was an American man-of-war and put heavy charges in their guns on the fort and I understood they intended to give the contents of their guns and then run for safety, however, when they found it was the Hawaiian flag, they drew off the shot and burned the powder in a salute to the nation and no doubt were much relieved in their minds.

While lying at Accapulco, we had several shocks of earthquakes, the first I ever experienced on shipboard. The sensation can hardly be described. It is something like a vessel running over small stones. The people at A. treated me very kindly and I enjoyed myself very well (exclusive to being disappointed in regard to freight back). A few days before I left, Captain John Vioget³⁵ arrived in the Bark *Clarita*⁵ from Calao; he was an old friend of mine, as we both arrived in California in the month 'of June, 1837. He was dissatisfied with the owners of the Bark and left her and took passage with us to California. I gave him a passage as he was a very good man and since that time he has done me many favors.

The next morning I went on shore dressed partly in uniform. The residents

knew that I was an American by birth and some of them asked me what I thought of the war between the United States and Mexico. I told them if it was a just war on the part of the United States or if they thought it was, the Mexicans had better give up at once as they surely [would] be beaten by the U. S. A., and I was surprised to see some of them laugh at my views of the matter. They pretended that all the U. S. A. could not pass some of the difficult passes to get to Mexico and I advised them to pronounce against the General Government and have nothing to do with the war. They laugh[ed] at the idea and said we had already beaten them in one battle even on the frontier, and what shall we do with them when they pretend to come into Mexico? We shall annihilate them. I merely said that the next news you hear about the war, if it is carried on, will be a terrible defeat of your troops and many lives lost.

I heard nothing more about the war while I lay there and as the chief director of the expedition to California died, the expedition³⁶ was given up and I lost my freight back to California and after lying there 27 days, I heard that I might meet the commissioner at Mazatlan, consequently I took up my anchor and left intending to touch at St. Blass [San Blas].

We arrived the 4th of June, 1846, some 17 days getting to St. Blass, where we found H.B.M. Ship Collingwood and a Brig. of war. Admiral Seymour³⁷ sent two officers on board immediately to inquire the news but I found they had later news than I had and informed me that the Americans had had a fight with the Mexicans and that the former were victorious.

I lay at St. Blass two or three days and as I could not hear anything from the Commissioner, I left for Mazatlan and arrived there three days after, being the 9th of June. I found the U.S. Ship Warren lying there; the U.S. Ship Congress [Savannah]³⁸ had left a few days previous for California under command of Commodore Sloat. There was also an English sloop of war lying there and during my stay, a ball was made by the Mexican Army officers. All the officers from the English man-of-war were invited but none from the American. The next morning there was a very heavy swell setting in over the bar, which broke badly, and a boat attempting to go on shore from the English man-of-war was filled and the men swam on shore. I sent my surf boat and saved their boat by towing her out of the breakers for which service I received many thanks.

SAILS FROM MAZATLAN

I left the 18th of June, 1846, a few days after, as I could not hear anything from the Commissioner which I expected, and as war did really exist between the U.S.A. and Mexico, I did not expect he would return. (I have never heard from him since.) I returned to St. Pedro, where I arrived on July 27th, and heard that Monterey had been taken possession of by the Americans. Soon after my arrival, three Mexican (or Californians) officers came on board, one of them was a custom house officer (Don Pablo de la Guerra).³⁹ They de-

manded my manifest, which I gave them. I had but little cargo on board but many water casks and much lumber which made it appear as though the vessel was nearly full. They were not satisfied with my manifest and wanted to make a search immediately. I gave them permission to search the vessel as much as they pleased but to do it at their own expense. They had no men with them and consequently could not do it, as my men would not work for them, however, I promised to have the vessel clear in two days so that they might see all that was on board. They then wanted my tonnage dues which was 1-50 per ton and amounted to \$390. I told them that when I came to an entry at the custom house, I should pay it, providing the Government fulfilled their contract with me. Finally I told them that I should try to get to Los Angeles the next day and they left. On the following day, I supposed that if I went to town, they might demand the tonnage dues from me, consequently I sent Mr. Southworth and Captain Vioget in my place and it appeared that they were much disappointed as they could not get anything from them. Captain Vioget and Mr. Southworth returned the following day and reported that the officers would be down the next day. I expected they would come but if they had they would get nothing from me, as my bargain with the Government was that I should not be liable to any tonnage duty on my return and I did not intend to enter the Bark at St. Pedro and they had no force to compel me to do so. That same night, U.S. Ship Congress arrived under command of Commodore Stockton and on the following morning the first lieutenant with Mr. T. O. Larkin came on board and I gave them the latest news of the war. A few hours after, the officers came down with a posse of men to search my vessel but found themselves otherwise occupied after their arrival and did not trouble me any more about entering the Bark. Some officer from the Congress discovered that I had guns on board and in a few hours after, I received a request from Commodore Stockton saying that he would like to have my small guns. I sent him word that I was under a neutral flag and could not supply either party with munition of war. He then sent word that he should not permit an armed vessel to travel on the coast. I said to the officer who came, "The guns are there, if it is missing it is not my fault," consequently he took them (or three of them), as I did not see them on board afterwards. (I believe they were paid for afterwards.)

STOCKTON ENTERS LOS ANGELES

It appeared that the authorities could not come to any terms with Commodore Stockton about giving up the place, consequently the Commodore landed nearly all his men and marched up to the town of Los Angeles⁴⁰ and took possession, but left a few to keep it. Subsequently it was retaken by the Californians and it cost some lives to take it back. On giving up the guns belonging to the Bark, I could not well help doing so as all my interest lay on the coast, but at the same time I got permission to touch at all the ports and trade without being liable to tonnage duty or any other duty, consequently I sailed for

different ports. The first was Santa Barbara, where on presenting the Commodore's license, I was not troubled and I found it the same at all ports. I remained on the coast during the winter and after collecting all I could get I thought best to go to Oahu to bring some provisions which I expected the troops would be in want of, consequently I chartered half of the Bark to T. O. Larkin and made a trip to Honolulu on our joint account. The voyage did well. I returned to Oahu again in March, 1847, and we sold the *Don Quixote* to Theodore Shillaber⁴¹ for \$9,500.

April, 1847, I took charge of the *Schn. Mary Ann*⁵ belonging to J. Dudoit, and we loaded her on joint account, Dudoit one-half and Paty & Co. the other half. I took a full cargo but it was not well adapted to the market, although after much trouble I sold it and we made but a small profit out of it. In the fall of '47, I bought the *Brig. Melakadhel*⁵ and sold half of her to Captain Phelps.⁴² I sent James H. Gleason⁴³ down the coast in her with Captain Phelps and I proceeded to San Francisco in the *Mary Ann*. I stayed at San Francisco a few days and got permission to go up to the Embarcadero of St. Jose.

CUSTOMS DIFFICULTIES AT SAN FRANCISCO

I went up and stayed about three weeks selling goods and collecting old debts. Eli Southworth was Captain and I was Supercargo at the time. On our return, it appears that there had been an alteration in the revenue laws requiring every person to take a permit before landing any goods; this I was not aware of but found that the laws had been sent on board soon after I left the vessel to go on shore. I found that no vessel under a foreign flag could be permitted to trade coastwise on the coast, consequently I concluded to sell out at auction and send the vessel back to Oahu, and wrote off an order to Captain Southworth to send all the goods on shore next day. Accordingly he sent all the goods on shore, but as the tide served, it was late in the afternoon before the boat could get to the landing. I saw the boat coming with the goods and went after a cart to take them up to the store I had hired, and when I got to the beach with the cart I found Mr. Gilbert⁴⁴ standing there (he was a custom house officer). He asked me if I had a permit to land the goods; I told him that I had not and asked him if it was necessary. He said it was but it was too late to get one that day. I says, "Very well, suppose I put them in your charge until tomorrow morning when I will get the permit, as it is a long way to bring them and it will be late before I can get them on board again. He says, "Very well, you can put them in the public store if you wish. I told him no. I had a store ready for them and they might as well go there in order to save the trouble of moving them again. And as we were walking up to the store, he observed that he could have a hundred dollars out of me very easy if he had been of a mind to. I supposed that he was joking. However, the next morning when I went after the permit I understood that the goods were really detained. I asked Captain Folsom,⁴⁵ the collector, why they were being detained and he

says for being landed without a permit. I told him that I did not know it was required until the goods were being landed and I supposed by what Mr. G. said that in the morning would do to get the permit. Mr. G. made answer and said that all he said about the matter was that he told me I could do as I liked, but did not say that I might do as I liked. (If this is not downright swindling or deception, I do not know what to call it.) However, Captain Folsom says (to make a long story short) that the post regulations were sent on board to the Captain the day before the goods came on shore and the Captain was liable if he permitted anything to go from the vessel without a permit and there was no getting away from it. I went on board to see Captain Southworth about the Regulations and on inquiry I learned that soon after they came on board he had torn them up to wipe his razor on without reading them and it was not strange that neither Captain S. nor Mr. A. Brinsmade (who was clerk on board) read them. I went to Captain Folsom and stated to him that many of the goods were remnants of my former voyages and had been landed on different parts of the coast and duties paid, and were taken on board again to sell at other ports. He finally consented to release all goods which had paid duty, consequently it reduced the amount very much, as I had landed \$1,500 value but fortunately all but about \$170 had paid duty; they were seized by the collector and I do not know what became of them.

REALTY VALUES IN SAN FRANCISCO

I sold nearly all I had at auction, and as I wanted to raise all the money I could to send to Oahu, I sold a piece of land, which I intended to have given my daughter, M. F. Paty, for \$1050. I took the land from Captain W. S. Hinckley for interest he owed me on a note. I believe I allowed him \$200 for it. It would have sold for \$300,000 two years after I sold it; I thought that I did well to sell it for what I did. After raising all the funds, I could, I sent the Schn. back to Oahu under command of Captain Thomas Rossum.⁴⁶ The voyage paid a very small profit. We still had another lot on the Square, the best location in the place at that time, which belonged to Paty and Company, on which I built a house, fence, etc.; cost about \$2,000. I rented it for \$500 a year.

I stayed at San Francisco until the winter trying to settle up my old accounts about the Bay. Finally I went to Monterey in the Bark Euphemia with Captain Vioget. We were six days after we were ready to sail before we got to sea and nine days from the Bay to Monterey. We had a poor woman with three children and a single lady passenger, who were going to Monterey to take charge of the washing and bedding in a Hotel. They never got but a trifle for six months' services as the proprietors failed, and the poor woman was obliged to return to San Francisco again to be confined with another child. She had a husband there but he was of no energy and a very little help to her. She earned her living mostly by washing. She had managed to get a piece of ground in the place and built a miserable hut on it, where they all lived. This

was in the spring that she returned from Monterey almost entirely destitute. I found her again in the winter of 1848, doing well. She was renting out her ground for a good price and her husband carried on trucking, and in the winter of 1849 she went home to the Atlantic States with about \$30,000. She was a very kind and grateful person. I was always a very welcome visitor at her home. She always said that she should never forget my attention to her when she was seasick and not able to take care of her family.

I waited at Monterey five or six weeks until the Brig. *Meleakadhel* arrived, when I went on board and went down the coast. I believe that I have before stated that we owned half of the Brig. At St. Pedro, I sent James on shore to collect what debts he could at Los Angeles. Captain Phelps stopped there also and took charge of the Brig. She was a beautiful vessel and sailed very fast. I went to San Diego in her and landed some things and did some trading, etc. I lay there about two weeks and returned to San Pedro.

THE *MALEK ADHEL* IS SOLD

At this time we found that the Brig. could not do the work we both wanted to do and we did agree that at the expiration of six months from the time she was bought that she should be sold to the highest bidder, and as the time was past we concluded to make sealed bids for her and the one who made the highest offer was to take her. I bid \$5,501, Captain Phelps bid \$5,525 and took her. I was rather disappointed in not getting her, however, I heard that there was a vessel at Santa Barbara called *Premivera*, which was to be sold, consequently I went there in the *Meleakadhel* and a few days after I bought the Brig. *Premivera* [*Primavera*]⁵ for about \$500. She was much out of order and leaked considerably, however, I could have made a good vessel of it with about \$2,000 expense, but on examining the papers I found there were many claims against her for debts which she owed at several places. Consequently, after keeping her about three days, I gave her up to her former owner, as I could not find anyone who would be responsible for her.

A few days after, I started again for Los Angeles by land, horseback. I think this was the hardest ride I ever had. I rode about 90 miles from ten in the morning to sunset. I did not feel very much fatigued although I did not sleep much during the night. I started again quite bright next morning but had not gotten far before I was troubled with rheumatic pains in my hips and shoulders; the pain was really excruciating and during the day I had to stop three different times as I could not go any further, and when within three miles of the town, I lay down in the grass and told my boy to go into town and send me a carriage. I commenced walking and had not gone more than a quarter of a mile before I got almost clear of the pains and jumped on my horse and rode in quite bright, and I think could have ridden much further. I was not much tired; it was pains which frequently attack me when riding.

A RUNAWAY CARRETA

I will here relate an incident which happened to a family on their way to Los Angeles at the same time I rode there from Santa Barbara. My very much esteemed friend, Mr. [James W.] Burke, had a daughter married to a Mr. [John C.] Kays. They resided at Los Angeles and at this time Mr. Burke with three other daughters, one son and two or three servants, were on there way to visit the daughter in Los Angeles. They all rode in an ox-cart and had their baggage in another ox-cart, which was piled up very high with numerous trunks, bandboxes, beds, etc. They had to pass over a very high hill which I should think was one-eighth of a mile from the base to the summit. The baggage team was heavy laden and just as they got almost at the very top of the hill, the cord which fastened the tongue of the cart to the yoke gave way and the cart soon got stern way. It went part way down the hill rather regular until it came to a sideling place, where it turned off and such a sight as it presented even caused the owner to laugh, first tongue up, then wheels up, then one wheel, then the other, and out came the trunks, bandboxes, beds, etc., and soon lay scattered about in all directions, without tops, bottoms, ends, or sides; the feather beds were torn open and the feathers were waltzing around; all descriptions of clothing flying in the air. I felt very sorry for my friend, Mrs. Burke, when she told me of it the same night (as I overtook her that night and slept in the identical cart) but I could not help laughing at her description of it. I resided several weeks with Mr. Burke and also in the family of his son-in-law, Mr. Kays, and always found a very comfortable home there with them.

I once made a passage in the Brig. Boliver⁵ from Santa Barbara to St. Pedro with Captain Nye.⁴⁷ I think it was in 1837. I had forgotten this trip; it was a short trip. I went to Los Angeles to see if I could get anything from Captain Hinckley, who was there at the time. I returned to Santa Barbara with him.

HEARS OF THE DISCOVERY OF GOLD

I think it was in June, 1848, that I returned to Los Angeles the last time, and soon after I heard of the discovery of gold near the river Sacramento. I collected but a very little of my dues in Los Angeles this time as most all who owed were poor and at the same time there was war with Mexico. I closed up my business as far as possible and took passage up to San Francisco in the Bark Olga⁵ of Boston, Captain Ball. This was the first time I had had any passage to pay.

I had left my chronometer and chart and all my nautical instruments, as well as the most of my clothing, at Santa Barbara, expecting to touch there on my way up and get them, but Mr. Mellus,⁴⁸ the Supercargo, was in such a great haste to get to San Francisco and would not stop at Santa Barbara.

I arrived at San Francisco in August and found the place quite deserted; all hands had left for the mines. I had some thought of going up myself but

as I could not get goods to take up without paying very high for them, and in consequence of Captain Phelps returning from there and informing me that it was sickly, I concluded to go to Oahu and wrote my brother William to get a vessel, if possible, and lay up all the provisions and woollen clothing he could, as I felt sure it would be wanted ere long.

I took passage in the Schn. Honolulu⁵ with Capt. Newell. My house at San Francisco, which I had rented for \$500 a year, was closed and the tenants gone to the mines, and got but a small part of the rent.

We had rather a tedious passage to Honolulu but found all hands well. William bought a Schn. the day before I arrived of about 80 tons, but had bought a very few goods.

I took charge of the Schn. and as she wanted much done to her, I occupied myself some four or five weeks in getting her put in order, and just as we had finished the repairs and was about to load, the Bark Mary Frances⁵ came in from San Francisco, and Capt. Gould, who owned half of her, wished us to buy the half and for me to take charge of her. I was very anxious to do so but my brother William seemed to think the Bark too large for our purpose and thought we could not get her full, however, after much talking, we bought half of the Bark for \$5,000 and sold two-thirds of the Schn. for \$4,000, one-third to Gould and one-third to S. H. Williams⁴⁹ and Company. The Schn. went to Sydney with \$15,000, \$5,000 each owner. We put the Bark up for California and soon got the Bark full and had to leave goods behind which we could not take. I had over \$8,000 freight and passage money, besides more than 100 tons of goods of our own. My invoice was about \$14,000 which sold for over \$30,000, although I had a hard time in getting my goods on shore and getting to sea again, as nearly all my men ran away. I had to pay my mate \$250 per month and my cook and steward \$150 and my men the same.

A VOYAGE TO MAZATLAN

I concluded to go to Mazatlan with the Bark and purchased a lot of Mexican goods and take passengers or a cargo of mules back to California, as mules were very high at that time.

While at San Francisco, this time, I sold the premises on the Square belonging to Paty and Company for \$15,000. They cost us about \$2,000 although the house proved of no value.

I had for passengers down to Mazatlan, Mr. Theo. Shillaber, my nephew, J. H. Gleason, Geo. Glidden,⁵⁰ Job Dye,⁵¹ Sewerkrop,⁵² Vicente Roderigos, a Mr. Lomas and three in the steerage. We had a very pleasant time and I touched at Santa Barbara and took off my clothing, etc., which I had left there the previous year. We had a large quantity of gold dust on board, I supposed among us all about \$200,000 worth. On our arrival at Mazatlan, I found that there was but a few passengers who wanted to go to California and Mexican goods were scarce and high, consequently I concluded to go down to St.

Blass and buy a cargo of mules and some Mexican goods. When I arrived there, James was sick and could not attend to any business. He was to help me select the goods and do all the writing business for the Bark, consequently I started for Tipice [Tepic] alone to buy goods and see about buying mules. I had partially made an arrangement to take about 30 from one man, however, when I got nearly to Tepice, I met some 15 or 20 Americans, who came by way of Mexico and were bound for California, and at the same time I met Mr. Forbes⁵³ who stated that goods were very scarce and dear at Tipice and advised me to return and put my vessel up for passengers, and as those whom I met told me that there were many more not far behind them, I concluded to do so and returned the following [day] to St. Blass and commenced getting the vessel in order to receive passengers. And they did come along very fast as I had engaged as many as I could take before I could get the ship ready, and I believe I got the highest passage money that has ever been paid before or since, however, they did not complain as I fed them well and made them as comfortable as I could, and they have told me that they had the best treatment of any vessel which came up about the same time, and when they disembarked they gave me three hearty cheers. Some of them who were very poor I assisted to fit them out for the mines. Some of them paid me and some of them have not yet. There was one among them, an old man I should think 55 or 60 years old, who had lost a fortune at home and had come to California to find another. This man I loaned about \$80; he started immediately for the mines (his name was Pratt) and before I left San Francisco he returned from the mines and came on board of my vessel before he went on shore to pay and thank me for my assistance. He seemed to be really grateful and said that he was in a fair way to get a fortune and if he got it he should thank me as he could not have done but a small business if I had not helped him. The poor man returned to the mines and in a few months laid his bones there to enrich the soil, which was all the good the gold was to him.

I had all kinds of persons for passengers, among them were three doctors and three or four lawyers. I had in the cabin two Mexican families, three women, two gentlemen, three children and nine servants. They paid me well for their passage. The two gentlemen have both died and one of the doctors and one lawyer. It is strange; they seemed to be the most healthy among the passengers. Several of them got rich and went home but they are still indebted to me. I expect some of them will yet pay me.

When I was ready to leave St. Blass, fifteen persons came to me and said they must have passage to Mazatlan, at least. I told them there was the deck; they might sleep there and I would give them a plenty to eat and drink. They came on board and I got underway and on the second or third night out a boat came alongside with five men in it, and on questioning them I found they had run away from a Breeman [Bremen?] ship. I asked where they intended to go; they said to California but had no provisions. I told them that I should

not supply them but I would give them to eat and drink while they were on board, and while they were taking supper I told the mate to haul their boat up under the bowsprit. After they got through supper, they came and said that they had given up the idea of going to California in the boat but if I would permit them to work their way on board, that they would give me the boat (which was a very good one). I told them that I would let them know at Mazatlan about it. I asked them why they deserted their ship. They said that they were treated badly and fared hard and had to keep pumping constantly. (I noticed that the ship leaked very bad.) However, I told them that that would not justify them in running away. When I arrived at Mazatlan, I went to the Captain of the port and informed him of the deserters and he sent off and took the boat, and I believe arrested some of the men. I afterwards heard from the Captain of the Ship who thanked me for taking care of his boat.

CAPTAIN PATY IS ARRESTED

I forgot to mention my arrest at Mazatlan when just on the eve of sailing for St. Blass. The circumstances was this: In Mazatlan you are not allowed to take specie out of the country without paying an export duty of about two per cent, and at that time I had much money which I wished to get on board without paying duty on, consequently I made a practice of giving every one \$100 or \$200 to take off the last time, when we all took a pretty good sum; I had five men and my nephew and two passengers, Mr. Sewercroup (the Danish Consul) was one of them, and he being a Consul I gave him \$500 or \$600. The most of it he stowed away in his valise and all had more or less. I had about \$50 in silver and \$200 in gold; I had about \$100 in gold in a piece of paper which I carried in my hand. We had all got snugly in the boat when a file of soldiers presented their arms to us and ordered us not to shove off, but came into the boat. I asked them what they wanted. They said we had money in the boat and they were going to search her; I told them that I would like to see their authority. They then said that the Captain gave them authority. I asked where the Captain was and they said he was in his office at the head of the mole. I told them that I must see him before they searched the boat and in a few minutes we had orders to go up to the Captain's office. I insisted on one man staying by the boat, which was granted. We were all then marched to the office and each one examined separately and all the money we had was taken and put on the table and an account taken of it. We were then told that we could go (the money which I had in my hand when I left the boat I put under one of the cushions in the stern sheets, which I afterwards found all safe). I told the Captain that I could not go without my money and Mr. Sewercroup protested against leaving his money as he alleged that the money was to pay his expenses to Mexico and after waiting half an hour they permitted Mr. S. to go and see Mr. Mott, my consignee, about the affair. They searched the boat but found nothing; we had in the office about \$300 which they took from us. I told the Captain that I was ready to go to sea and

losing a good wind and if he would take a hundred dollars and let us go I would give it to him, but no, he wanted the whole. It made me vexed to see the ingratitude of the wretch as on our arrival we presented him with \$20 or \$30 worth of specimens of gold. He would not permit anyone but Mr. S. to go for advice and I think he would not have permitted him had he not been a Consul and threatened him hard, however, Mr. Mott found the Commandant and stated the case, when the Commandant immediately sent word to the Captain of the Port to return every real which had been taken from us and if any was missing to let him know and if anyone interfered with us again to shoot him. Mr. S. got back about 10 o'clock and brought the messenger with him. The old Captain looked rather foolish when I asked him if he would now take the Hundred Dollars which I offered or wait until he could get it. I believe it turned to my benefit eventually, as when I was there later, I took off some \$15,000 all in the same way and lost but \$10 which they took from my steward; this I said nothing about.

At Mazatlan I landed some of the fifteen I took on deck at St. Blass and took some other passengers; I believe in all there were about 200 persons on board. I left there about the middle of April and had light winds and when I got over to Cape St. Lucas, I thought it prudent to touch at St. Jose and fill up my water, etc. Soon after I anchored there, the Brig. Trubadore came in dismasted or lost her top mast. Mr. Shillaber was passenger on board but changed his quarters and came on board the Mary Frances with me and brought about \$100,000 with him. We left again the following day and had a very pleasant passage up to San Francisco, where we arrived in May a few hours before the Trubadore, although she was a fast sailor.

This was a voyage of hard work for me but on account of doing well it was with pleasure. My Mexican goods were low in San Francisco and only got about cost of them. I lay six weeks at San Francisco trying to sell the goods, etc. Finally I sold them to James Gleason (or the balance of them) and also Mr. Gleason bought the half of the Bark belonging to Kelley & Gould, and concluded to go to Monterey and land the goods and proceed from there to Oahu and in going out of the harbor the Bark mis-strayed and touched on Bird Island. The U. S. Ship Warren was lying there and Captain Cummins⁵⁴ (one of my passengers) went to her and got a launch with men to assist us in getting off. We soon got off without any damage and soon after while I was walking with the officer on deck, who came with the men, two of his crew got over the bows into my boat and shoved off and the first I discovered of them they were about 200 yards off and putting the sails up. She was a beautiful boat and sailed very fast. The Ship's boat immediately put after them but I understood afterward never caught them. I was very sorry to lose the boat; I bought it in Mazatlan and paid \$150 for it, however, I got out the next day and into Monterey the following day, where I landed my goods and my nephew (Gleason) and left on the 11th day of July for Oahu and had 17 days'

passage, but found all my family well and my brother William waiting to go to San Francisco.

BACK TO HONOLULU

I had passengers to Oahu from San Francisco, Capt. T. Cummins, Mr. Johnson, Mr. Keyele, and a Mrs. Davis and child, and a man by the name of Mansfield, who acted as my clerk. While at Monterey, I bought Gleason's half of the Bark for \$3,000 and shortly—after we arrived at Oahu, we sold the whole of her to Capt. Wm. Webster. After remaining at Oahu about six weeks, I took charge of the Bark again for Capt. Webster and went to San Francisco. I took my wife and M. F. and left John H. at Mr. Greens, on Maui. My brother William and Mr. Cummins were passengers.

We touched at Hanalei and got some fruit, etc. They treated us kindly, both Mr. Rhodes and Mr. Titcomb and Dudoit family. The first day out I found four deserters on board from the U. S. Ship Preble.⁵ We had a fair voyage and the day before we arrived, the Schn. Honolulu passed us. She was a fast sailor and our vessel was dull, however, she got bothered in finding her way through the fog into port and we were fortunate enough to get in three days before her. We arrived in the evening about six o'clock some time in October and my brother and myself went on shore. The place had grown so fast and so many changes had been made that I could hardly find anyone I knew. We finally found Mr. Shillaber and about ten o'clock we went on board again. The next day Mr. Davis very kindly gave us a room in his house, where I took my wife and child and servant. After being in San Francisco ten or twelve days, I concluded to take charge of the Bark Rochelle and my brother and myself loaded one quarter of her. She had \$40,000 worth of cargo on board; one quarter belonging to Greely Fitton and Company, one quarter to William H. Davis, one quarter to Don José Antonio Aygirre [Aguirre]⁵⁵.

I left about the first of November; our part cargo was on time and all the money which we had was left with William to speculate with. Unfortunately in going into Monterey, I touched on a rock in a thick fog. I supposed some people thought I was imprudent, but I had 70 persons on board and about 100 gallons of water, and ran more risk than I should have done otherwise, as I was afraid of being caught out in a S. E. gale without water. We had a long passage down from San Francisco and the next day in coming to anchor, I came too near the beach and the vessel grounded but did not hurt her, but striking the rock caused her to leak badly, consequently I called a survey on the vessel and she was condemned and sold and I sold out our interest for 5% advance on the cost.

THE JOURNAL APPROACHES ITS END

From this time I was undetermined what to do, whether to go down the coast or return to San Francisco, I got letters from William stating that he wished I was there and I concluded to go up but was too late for a passage in the

Steamer, and while I was waiting for an opportunity to get up I got other letters from William advising me to go down the coast. I had got a passage engaged and was looking after someone to take my trunk on board when I heard of William's death. I immediately started for San Francisco by land in company with J. H. Gleason. We had a very hard ride of it. I had not traveled that rode before and Gleason in trying to get a new route got lost in the woods and we got in a place where it seemed almost impossible to extricate ourselves, and where we saw numerous bears' feet. I was completely tired out and expected to be torn in pieces every moment by the bears. I think it was the most anxious hour I ever spent. Eventually Gleason made out to cut down some small trees with a bowie knife and got our horses clear. If I was ever glad it was then. I could not have got out alone, but Gleason was accustomed to riding and did not seem to be tired. We got back to the same place we started from about five o'clock on the afternoon, having ridden about 60 miles that day over the worse kind of rode. We started the next morning and arrived in the town of St. Jose that evening and the following evening left in a Steamer and arrived at San Francisco, I think, on the 23rd of February, 1850.

A NOTE ON CAPTAIN PATY'S CAREER AND DEATH

From his first arrival at Honolulu in 1834 until his death there November 11, 1868, Captain John Paty made that island city his home, his residence being in the Nuuanu Valley. In 1846 Kamehameha III commissioned him as consul and naval commandant for the California coast with the rank of commodore, by which title he was commonly known. Between the time when the journal ends and his death he was actively engaged as master of vessels plying between the Sandwich Islands and the California coast. "Few who have visited California or the Hawaiian islands," said the Honolulu paper in commenting upon his passing, "did not know Capt. Paty either personally or by reputation." He held the record for the greatest number of voyages by sail between San Francisco and Honolulu, and was honored in 1865 by the shipping men of both ports upon the completion of his one-hundredth voyage from the islands to the mainland.

Captain Paty was an historic figure who took a prominent part in the commercial conquest of both the Pacific and of California. He lived to see the Far West peopled by the energetic men of his own race and the boundary of the United States moved to the ocean upon which he spent the greater part of the last thirty-four years of his active life.

DESCENDANTS OF CAPTAIN JOHN PATY

1. John Paty (1807-1868) m. (Aug. 31, 1831) Mary Ann Jefferson (1813-1891)
2. John H. (1840- ?)
3. Mary Francesca (1844-1902)
4. Emma Theodora (1850-1933)

THROUGH HIS SON, JOHN HENRY

2. John Henry Paty m. Julia Anthem Bolles
3. Julia Bishop (1872-) Residing in California
4. Mary Frances (1874-) Residing at Honolulu
5. Annie Elizabeth (1876-) Residing at Honolulu
6. Kate Makee (1879-) Residing at Honolulu
7. Lillian Bolles (1880-1935)
3. Julia Bishop Paty m. John J. Egan
8. Herbert Allen (1897-) Residing in California
4. Mary Frances Paty m. Albert W. Van Valkenburg
9. John Paty (1895-) Residing in Georgia
5. Annie Elizabeth Paty m. Ernest A. Mott-Smith (Deceased)
10. Stanley (1897-) Residing at Kauai
11. Ernest Campbell (1899-) Residing at Honolulu
12. Robert Hartwell (1901-) Residing at Hilo, Hawaii
13. Paul (1903-1905)
14. Helen (1906-) Residing in New Jersey
15. Margaret (1908-1908)
16. Anne (1916-) Residing at Honolulu
6. Kate Makee Paty m. Charles S. Weight
17. Juliette Paty (1902-) Residing at Honolulu
18. Catharine Theodora (1904-) Residing at Honolulu
19. Charles Richard (1906-) Residing at San Francisco
20. Herbert Cedric (1913-) Residing at Honolulu
7. Lillian Bolles Paty m. William G. Singlehurst (Deceased)
21. Robert Paty (1912-) Residing at Honolulu
8. Herbert A. Egan m. Leslie Egar
22. Jule (1918-) Residing in California
9. John P. Van Valkenburg m.
No issue
10. Stanley Mott-Smith m. Lillian Logan
23. Stanley (1923-) Residing at Kauai
11. Ernest C. Mott-Smith m. Dorothy Pryor
24. Elizabeth Anne (1926-)
25. Tipton Pryor (1927-)
12. Robert H. Mott-Smith m. Evelyn Hiemark
26. Robert Endre (1933-) Residing at Hilo, Hawaii
14. Helen Mott-Smith m. Raymond Eiffe
27. Helen Paty (1933-) Residing in New Jersey
17. Juliette, Weight m. Joseph Palma, M.D.
28. Joan (1935-) Residing at Honolulu
18. Catharine T. Weight m. F. Roy Johnston
No issue

THROUGH HIS DAUGHTER, MARY FRANCESCA

3. Mary Francesca Paty m. Henry McKinley Benson, Lt. U.S.A.
4. Maude (1870-)
5. Marion Ruth (1873-)
6. Henry P. (1876-)
7. Dora Brice (1879-1934)

8. Francesca Paty (1883-1926)
9. John Paty (1885-)
4. Maude Benson m. Edward Craft Greene
No issue
5. Marion Ruth Benson m. Holbrook Blinn
No issue
6. Henry P. Benson m. Carmen de Vida Boyd
10. Henry McKinley
7. Dora Brice Benson m. Henry Huntley Haight
11. Henry Huntley, III
8. Francesca Paty Benson m. (1) Lester Saron Laughlin; (2) Elmo Warner
12. Leslie Francesca (Laughlin)
9. John Paty Benson m. Kathleen Allen
13. John Paty, Jr.
12. Leslie Francesca Laughlin m. George Rucker McCurry
No issue

THROUGH HIS DAUGHTER, EMMA THEODORA

4. Emma Theodora Paty m. Isaac I. Yates, Lt. U.S.N. (1846-1912)
5. Jennie Ormsby (1874-) Residing at Schenectady, N. Y.
6. Emma Theodora (1876-) Residing at Schenectady, N. Y.
7. William C. (1878-) Residing at Schenectady, N. Y.
8. Isaac I. (1881-) Residing at Washington, D. C.
9. John Henry (1886-) Residing at Arlington, Mass.
5. Jennie Ormsby Yates m. Harold M. Mott-Smith
10. Harold M., Jr. (1897-) Residing at Urbana, Ill.
11. Kenneth Ormsby (1899-) Residing at Arlington, Mass.
12. Geoffrey Arthur (1901-) Residing at New York City
13. Constance Theodora (1904-) Residing at Schenectady, N. Y.
6. Emma Theodora Yates m. J. J. Elink Schuurman
14. Helene Wilhelmina (1909-) Residing at Schenectady, N. Y.
15. Agathe Maria (1911-) Residing at Schenectady, N. Y.
7. William C. Yates m. Grace Philips Lawrence
16. Jean Lawrence (1915-) Residing at Schenectady, N. Y.
8. Isaac I. Yates, Capt. U.S.N. m. Clarice Brooke
17. Clarice Brooke (1908-) Residing at Annapolis, Md.
18. Phyllis (1910-) Residing at Annapolis, Md.
9. John H. Yates (Rev.) m. Alethea Bleecker
19. John H., Jr. (1909-) Residing at Arlington, Mass.
20. Alethea Margaret (1910-) Residing at Arlington, Mass.
21. David B. (1912-) Residing at Arlington, Mass.
22. Lucy A. (1913-) Residing at Arlington, Mass.
23. Theodora Paty (1915-) Residing at Arlington, Mass.
24. Sherbrooke P. (1916-) Residing at Arlington, Mass.
25. Phoebe B. (1918-) Residing at Arlington, Mass.
26. Pierre McD. (1920-) Residing at Arlington, Mass.
27. Christopher L. (1922-) Residing at Arlington, Mass.
11. Kenneth O. Mott-Smith m. Content Minor
28. Content Yorke (1935-)
12. Geoffrey A. Mott-Smith m. Madeline Edwards

- 29. John C. (1781-)
- 13. Constance T. Mott-Smith m. Harold A. Falconer
- 30. Joan (1930-)
- 31. Theodora (1934-)
- 14. Helene W. Elink Schuurman m. A. R. Stevenson
No issue
- 17. Clarice B. Yates m. Walter Price, Lt. U.S.N.
- 32. Claire Yates (1934-)
- 18. Phyllis Yates m. Lawrence Freeman, Lt. U.S.N.
- 33. Nancy Brooke (1931-)
- 34. Phyllis Yates (1934-)
- 20. Alethea Margaret Yates m. Joseph M. Bruce
- 35. Theodora (1933-)

NOTES

1. Captain Paty's father (b.1781), grandfather (b.1759), and great grandfather were all named John Paty. *Ancient Landmarks of Plymouth*, II, 197.

2. His mother was Ansenath Churchill, whom his father had married in 1802. *Idem*, II, 54-59. Through both her paternal grandmother, Patience Harlow, and her great grandmother, Hannah Bartlett, she was descended from Richard Warren, who had come on the *Mayflower*. *Idem*, II, 20. It is also probable that Captain Paty was descended, through his Grandmother Paty (Deborah Fish) from Edward Doty, Francis Cooke, and Stephen Hopkins, all of the *Mayflower*. *Idem*.

3. John Paty, who married Margaret Finney in 1757. *Idem*, II, 197, Besides the children named in the text he had Ann (b.1758), Ephraim, Hannah, and Margaret.

4. Henry Paty, brother of John, was a native of Massachusetts and was a merchant in Honolulu from 1833, doing business under the name of Henry Paty & Co. He committed suicide on board the *Don Quixote*, of which his brother John was master, while en route to Valparaiso in 1841, as explained in this journal in detail.

5. The following information regarding vessels plying in the Pacific with which Captain Paty was connected, or which he mentions, has largely been drawn from Bancroft.

The *Alciope* was an American ship, Curtis Clapp, master. On the Coast of California at various times from 1837 on.

The *Avon*, an American hermaphrodite brig of 88 tons, with a crew of 16 men; William S. Hinckley, master, and John C. Jones, owner; made several voyages to California in 1834-35, during which, according to Dana, she engaged in smuggling. She also carried Governor Figueroa's remains to Santa Barbara from Monterey.

The *Bolivar*, an American brig of about 200 tons, Gorham H. Nye, master, arrived in California in April, 1836, from Honolulu.

The *Clarion*, a schooner of 83 tons, formerly the *Kaniu*, brought from Honolulu by Henry Paty, who, June 20, 1837, sold her to Governor Alvarado for \$9,000, \$6,424 being duty on her cargo, the balance in hides and tallow. Rechristened the *California*, she sailed for San Blas on government business, Thomas M. Robbins, master. See Bancroft, H. H., *History of California*, IV, 101, *et seq.*

The *Clarita*, a Mexican bark of 202 tons. Bancroft says that Jean Jacques Vioget was master in 1845, and that the bark was employed to carry part of the Micheltorena army back to Mexico.

The *Diana*, an American brig of 199 tons, Barker, master, came from Honolulu via Sitka in 1835, and wintered on the coast. Sailed for Honolulu in October, 1836; sold and sailed for Columbia River, where she was in June, 1837; her name changed to *Kamamalu*,

William S. Hinckley, master. At Santa Barbara in October and November, as an Hawaiian bark, and wintered on the coast. She went aground near Santa Barbara in 1838.

The *Don Quixote*, an American bark of 223 or 260 tons, John Meek, master, and William S. Hinckley, supercargo, came to California from Honolulu, according to Bancroft, in 1833 or '34. The further history of the *Don Quixote* is to be found in the text.

The *Euphemia*, an Hawaiian brig of 150 tons, was at Monterey in the summer of 1846, Thomas Russum, master, and William Heath Davis, supercargo and part owner. She was a slow sailing vessel, and was eventually sold to the City of San Francisco for a prison ship. See illustration in *The Annals of San Francisco*, Soulé et al.

The *Honolulu*, an American brig, Newell, master, left Honolulu for San Francisco in June, 1847, and made two trips to California in 1848.

The *Malek Adhel* was a Mexican brig, captured by the *Warren* at Mazatlan in September, 1846, and sent north to Monterey in October of that year. In September, 1847, she was sold to Phelps and Paty.

The *Mary Ann* was an Hawaiian schooner, commanded by John Paty, and belonging to J. Dudoit, French Consul at the Sandwich Islands.

The bark *Mary Frances*, Gould, master. Bancroft, III, 762.

The *Morse*, an American schooner of 85 tons, Henry Paty, master, came from the Islands in December, 1839. Came back from Honolulu in June, 1840, with Fitch as master and half-owner, and with a new name, the *Nymph*, or *Ninja*. She was at San Diego in December, about to sail for Mazatlan with produce.

The bark *Olga*, supposed to have arrived in 1846 from Boston with Teschemacher as supercargo.

The *Preble*, U. S. man-of-war, W. F. Shields, commanding, and later James Glynn, was on the Coast in April-May and in October, 1847, and in April-May, 1848.

The *Primavera*, a Mexican brig on the Coast from April, 1847, was sold in June by creditors at Los Angeles to E. Célis, and later resold.

The *Rasselas* was an American ship of 264 tons, Joseph O. Carter, master, A. B. Thompson, consignee, and Josiah Thompson, supercargo.

The *Sarah* and *Caroline*, sometimes spoken of as the *Caroline*, and also as the *South Carolina*, an American ship of 396 tons, Joseph Steel, master, arrived in Monterey in May, 1836, from Boston, via Honolulu. Steel rendered some aid to Alvarado in November. The ship ran aground at San Francisco in February, 1837, and left the coast in October for Boston, via Honolulu, with Henry Paty as a passenger.

The *Thetis* was the thirtieth vessel in which Captain Paty sailed.

6. William Sturgis Hinckley, native of Massachusetts, nephew of William Sturgis of the Boston shipping firm of Bryant & Sturgis. A Honolulu trader, he later became master of the *Volunteer*, and in 1833-34 was supercargo of the *Don Quixote*. He aided Alvarado in his revolution of 1836, and was a partner of Jacob Leese and Nathan Spear in their Yerba Buena store that same year. After becoming a Mexican citizen, he married Susanna, daughter of Ygnacio Martinez, in 1842. In 1844 he became Alcalde of San Francisco, and was Captain of the Port in 1844-45. He died in San Francisco in June, 1846.

7. Thomas Hinckley, master or supercargo of the *Crusader*, brother of William Sturgis Hinckley, and a partner of Henry A. Peirce, at Honolulu; died in Central America.

8. William French was an American trader in Honolulu as early as 1827, says Bancroft (*Hist. of Calif.*, III, 749), and was in Monterey in 1827 and 1830. He was supercargo of the *Europe*, 1836-37, aiding Alvarado in his revolution, and a frequent visitor to California.

9. John Temple, a native of Massachusetts, arrived in California in 1827 from Honolulu on the *Waverly*. He was the builder of the famous Temple Block in Los Angeles, and

died at San Francisco in 1866 at the age of 68, a prominent and successful man. See Bancroft, V, 745.

10. John Coffin Jones, Jr., of Boston, merchant and United States Consul at Honolulu, visited California nearly every year from 1830 to 1838 as master or supercargo of his own vessels: the *Volunteer*, *Louisa*, *Harriet Blanchard*, *Avon*, *Bolivar*, *Griffon*, and *Rasselas*. After settling his affairs in the Islands and making a visit East, he returned on the *Julia Ann* from Panama in 1841 and settled at Santa Barbara. Early in '46 he sailed with his family on the *Admittance*, for Boston, where he died a few years later.

11. Joseph O. Carter, an American, was master of the *Volunteer* and the *Harriet Blanchard* from 1831 to 1833, and of the *Rasselas* from 1836 to 1838. He went to Boston on the *Alciope* in 1840, and died in Honolulu about 1851.

12. Thomas Oliver Larkin, a native of Massachusetts, and a merchant at Monterey from 1832 on; only United States Consul to California from 1843 to 1846. See Bancroft, IV, 706-7 for further particulars.

13. James Watson, sometimes known as David, and as Felipe Santiago, was an English sailor who settled at Monterey, possibly as early as 1824. From 1836 to 1848 he appears in the records as a merchant and trader. See Bancroft, V, 769.

14. James Stokes, An English sailor, who possibly arrived in California in 1834 and is occasionally named as doctor, druggist and trader at Monterey. He served as consulting physician in the case of Governor Figueroa. In 1846, he was the first to raise the United States flag at San Jose, where he served as alcalde for a time under Commodore Sloat's appointment. Nothing is known of his life after 1852.

15. David Spence, a native of Scotland, who had lived a few years at Lima, and came to California in 1824 on the *Pizarro* to superintend the meat-packing establishment of Begg & Co. at Monterey. See Bancroft, V, 730-31 for further particulars.

16. See article "Captain Andrés Castellero, Diplomat," by George Tays, in *Quarterly*, XIV, 3, September 1935, pp. 230-68.

17. Isaac Graham, a native of Kentucky, for many years a trapper in the Great Basin and New Mexico, whence he is generally said to have come to California in 1833. See Bancroft, III, 763, for further particulars.

18. Faxon Dean Atherton, a native of Massachusetts, who as a boy went to Valparaiso, where he became a member of a firm engaged in the hide and tallow trade. He visited California in 1836-37, and later kept up a correspondence with Larkin and others; went to Honolulu and Boston, 1838-39, but returned in 1841. He is said to have sent descriptions of the coast to Washington, and to have had a correspondence with Daniel Webster about California. He visited California again in 1849-50, and became a resident in 1859. Owner of a large estate in San Mateo County, he was also prominent in building railroads, banking, and various financial enterprises. He died at Fair Oaks (now Atherton) in 1877. See Bancroft, II, 704.

19. Eli Southworth, a native of Massachusetts, visited California from Honolulu on the *Don Quixote* in 1838, and possibly earlier (1833-35) on the *Loriot*. In 1843-45 he was at San Francisco as Paty's business partner, being listed in the padron of 1844 as 25 years old. After 1848 he engaged in the lumber business, and from 1853 lived with William Heath Davis at San Leandro until his death in 1857. Bancroft, V, 729.

20. Henry Augustus Peirce, a native of Massachusetts (b.1808), who went to Honolulu in 1825. For further details, see Bancroft, IV, 771.

21. Kamehameha III.

21a. Francis Johnson, who came to California in 1840 as supercargo of the *Don Quixote* and of the *Maryland* in 1840-41. He was a Massachusetts man who had been a clerk for Peirce & Brewer at Honolulu and later in business for himself. He died in Massachusetts about 1848. Bancroft, IV, 693.

22. Thomas Jefferson Farnham, a native of Maine, came overland to Oregon in 1839, and thence to California via Honolulu on the *Don Quixote*. He was the author of *Travels in the Californias, and Scenes in the Pacific Ocean*. In 1847 he came back to California, and died in San Francisco in 1848, aged 42. Bancroft, III, 734.

22a. Probably James B. McClurg, a trader from Honolulu, who, according to Bancroft, came to California in the *Xylon* in 1847, and who was also supercargo of the *Franческа*. He was a member of the firm of McClurg & Co. at Los Angeles, and also owned a lot in San Francisco.

22b. Probably Levi Chamberlain.

23. Henry Delano Fitch, born in New Bedford, Massachusetts, in 1799, came to California in 1826 as master of Virmond's Mexican brig, *Maria Ester*. For further particulars see Bancroft, III, 739. The vessel referred to by Captain Paty was the *Morse*, which Captain Fitch renamed the *Ninfa*.

24. Jacques Antoine Moerenhout; see "The French Consulate in California, 1843-56," Part II, in *Quarterly*, XII, 2, June 1933, p. 155 *et seq.*

25. Eliab Grimes, a native of Massachusetts, was a well-known merchant of Honolulu of the firm of E. & H. Grimes. For further particulars, see Bancroft, III, 767-68.

26. Wilkes' exploring expedition. The results of this expedition are to be found in *Narrative of the United States Exploring Expedition during the years 1838, 1839, 1840, 1841, 1842*, by Charles Wilkes, U.S.N., Philadelphia, 1845.

27. James McKinley, a Scotch sailor boy left at San Francisco or Santa Barbara by a whaler in 1824; named in commercial records from 1830, when he was agent for Captain Cooper at Monterey. In 1835 he went to Los Angeles as agent for Larkin; from 1836 to 1840 he was owner of the *Ayacucho*. From 1842 he was in partnership with Fitch and Paty, under the firm name, Paty, McKinley & Co. For further particulars, see Bancroft, IV, 725, and Davis, William Heath, *Seventy-five Years in California*, 72, 109, 144, 156.

28. The store was situated in the "Casa Grande," the largest building in San Francisco, erected by the town's founder, William A. Richardson, upon his lot which would cover today's northwest corner of Grant Avenue and Clay Street.

29. William Heath Davis, nephew by marriage of Nathan Spear, first came to California as a lad in 1831 from the Hawaiian Islands. He returned in 1838 to become a permanent resident. Davis married a daughter of José Joaquín Estudillo, and was prominent as a trader during the decade 1840-50. In 1889 he published his reminiscences under the title of "Sixty Years in California." Prior to his death in 1909, he had prepared a voluminous manuscript, which was to have been published under the title of "Seventy-five Years in California." During the conflagration of 1906, this manuscript disappeared, but from notes left by him at his home in San Leandro a revision of the work was made, and, edited by Douglas S. Watson, published by John Howell in 1929. Robert E. Cowan says that Davis' book is our principal source of information on California life and manners covering the period 1840-50.

30. Charles W. Flüge, a German and a member of the portion of the Bartleson party that went to Oregon but came by land to California before the end of the year 1841. In 1842-43 he was employed by Sutter, who had known him previously, at New Helvetia as clerk. Becoming naturalized in 1843, he was granted a rancho on the Feather River in the following year. He later became a merchant in Los Angeles. He was in Honolulu in 1845, returning on the *Don Quixote* in 1846. For further particulars, see Bancroft, III, 742.

31. Manuel Micheltorena, brigadier general in the Mexican army, who was sent to California in 1842 to be governor and commander general. His actions are so intimately interwoven with the history of California between 1842 and 1845, that the reader is referred to Bancroft and other historians for particulars.

32. The bloodless Battle of San Fernando, sometimes referred to as the Campaign of

Cahuenga. For particulars, see *The Diary of Johann August Sutter*, published by the Grubhorn Press, San Francisco, 1932; *Seventy-five Years in California*, by William Heath Davis; and the *History of California*, by H. H. Bancroft, Vol. IV.

33. John Wilson, a Scotch shipmaster and trader who came to California in 1826. He first appears in the records as the master of the *Thomas Nowlan*. During the years 1831-37, he was master of the *Ayacucho*, claimed to be the fastest sailing vessel on the Coast. He married Ramona Carrillo de Pacheco in 1836, and thereafter made his home in Santa Barbara. He became the grantee of the Rancho Cañada de los Osos, near San Luis Obispo, where he spent the rest of his life, and died at the age of 60 in 1865.

34. Hiram Grimes, nephew and partner of Eliab at Honolulu, and partner of William Heath Davis in 1845-46. He came to California in February, 1847, on the *Don Quixote*, and again in July, on the *Euphemia*, with his wife and child. He is often mentioned in San Francisco annals of 1848-49, and was claimant for several ranchos. Bancroft, III, 767-68.

35. Jean Jacques Vioget, a Swiss mariner, who first appeared in California as master of the Ecuadorian bark *Elmira*. He later settled in San Francisco, where he made a survey of the town, and built a house of public entertainment on what is today the westerly one-third of the block bounded by Kearny, Clay, Sacramento and Montgomery streets. This eventually became the Portsmouth House, the first hotel in California, with John Henry Brown as proprietor. Vioget was an accomplished musician, an artist of no mean merit, besides being a mariner and surveyor. Later, as master of the *Clarita*, he carried a part of Micheltorena's troops back to Mexico. For further particulars, see Bancroft's *History of California*, and William Heath Davis' *Seventy-five Years in California*.

36. For particulars regarding this proposed expedition, to be led by General Iniestra, and its subsequent failure, see Bancroft's *History of California*, III, 534; IV, 528; and V, 33.

37. Sir George F. Seymour, admiral in command of the British Pacific squadron, at Monterey in the *Collingwood* in 1846.

38. Paty confused the *Congress* with the *Savannah*. The latter was Commodore Sloat's flagship, while the *Congress* was the flagship of Commodore Stockton, who later relieved Commodore Sloat in July, 1846, at Monterey, California. The *Savannah* had left Mazatlan on June 1, but returned on the 5th and sailed for Monterey on the 9th. "Extracts from the Log of the U. S. Frigate *Savannah* Kept by Robert Carson Duvall," in *Quarterly*, III, 2, July 1924, p. 108.

39. Pablo de la Guerra, a native Californian, born in 1819, educated at Hartnell's school in Monterey. The most prominent member of the De la Guerra family, he was a delegate to the Constitutional Convention of 1849, and later a State senator, United States marshal, and from 1864 until a short time before his death in 1874 a district judge.

40. For particulars regarding the capture of Los Angeles and the events subsequent thereto, see Bancroft, V, Chap. 11, p. 255.

41. Theodore Shillaber, a merchant at Honolulu, later in San Francisco. See Hittell, Theodore H., *History of California*, III, 678, and Soulé, *et al*, *Annals of San Francisco*, p. 267.

42. William D. Phelps, a native of Massachusetts, while master of the *Alert*, 1840-42, explored the Sacramento River in boats. In 1846 he returned to the Coast as master of the *Moscow*, and for a time was master of the brig *Malek Adhel*. After the conquest of California, he published *Fore and Aft*, a most interesting and often-consulted narrative of his personal experience.

43. James H. Gleason came to California in 1846, and was a trader at Monterey from 1846 to 1849. He came from Honolulu on the *Don Quixote*, and acted as agent for Paty & Co.

44. Edward Gilbert, Lieutenant of Company H, New York Volunteers, and a printer,

seems to have acted as deputy for Collector Folsom at San Francisco. He took a prominent part in affairs of 1848, and was editor of the *Alta California* beginning in January 1849. After service as a delegate to the Constitutional Convention of 1849, he was elected as the first congressman from California. He was killed in a duel by General James W. Denver, near Sacramento in 1852, at the age of 33.

45. Joseph Libbey Folsom, a graduate of West Point, who came to California in 1847 as captain in the United States Army and assistant quartermaster in the New York Regiment of Volunteers. For a time he acted as collector of the port of San Francisco. Folsom became immensely wealthy through investments in San Francisco real estate. A street in this city is named for him. He died at Mission San Jose, in 1855, at the age of 38.

46. Thomas Russum, an Englishman, was master of the *Euphemia* and of the *Mary Ann*, 1846-47.

47. Gorham H. Nye, sea captain and trader, was at Honolulu from 1831, master of the *Bolivar*, *Fama*, and *Leonidas*. He died in 1878, at the age of 76, and was at one time reputed to be quite wealthy.

48. Henry Mellus, who came to California in the brig *Pilgrim* in 1835, before the mast with Richard Henry Dana, Jr. In 1845 he formed a partnership with W. D. M. Howard, under the name of Mellus & Howard, which firm became most prominent in San Francisco. In 1850 he sold out to Howard. After a trip East, he resided in Los Angeles, where he was elected mayor in May, 1860, but died in December, at the age of 45.

49. S. H. Williams & Co., commission merchants, on California Street between Montgomery and Sansome streets. Kimball's *San Francisco City Directory*, 1850, p. 116. Bancroft states (V, 678) that S. H. Williams & Co. probably occupied Leidesdorff's old warehouse on the beach, at what is now California and Leidesdorff streets.

50. Probably George R. Gliddon, who had come to California in 1846 as supercargo of the *Barnstable*.

51. Job Francis Dye, a Kentucky trapper, who came to California in 1832 with Ewing Young. For a time he was engaged in otter hunting, and later took charge of Captain J. B. R. Cooper's Rancho del Sur. With Tomlinson and later Majors, he conducted a distillery at Zayante, near Santa Cruz. Naturalized in 1839, he received in 1844 the grant of the Rio de Berrendos, in what is now Tehama County. In 1848, after a successful tour of the mines, in partnership with Larkin he chartered the *Mary* and brought back a cargo of goods from Mazatlan. In 1850 he was a trader in Sacramento, and later engaged in stock raising on the Tehama rancho. He died in 1883, at the age of 78, on his farm near Corralitos, in Santa Cruz County.

52. Edward A. Suwerkrop was the Danish Consul. Parker's *Directory of San Francisco*, 1852.

53. Alexander Forbes, of the firm of Barron & Forbes, merchants at Tepic, Mexico, author of a history of California published in London in 1839. With his partner, he purchased the interest of Andrés Castillero in the New Almaden mine near San Jose. The firm of Barron & Forbes had extensive interests in Tepic, including a cotton mill. The firm was later represented in San Francisco by Bolton & Barron, who assumed the agency of the New Almaden mine.

54. Thomas Cummins, who had come to California for his health, from Honolulu, in 1842 on the *Fama* is possibly the man referred to.

55. José Antonio Aguirre, a wealthy Spanish Basque trader at Guaymas, who in 1833 engaged in the California trade. From 1838 on he made his home in Santa Barbara, where he married Maria del Rosario, daughter of José Antonio Estudillo, in 1842. His second wife was a sister of the first.

FREDERICK S. DELLENBAUGH, 1853-1935

An Appreciation of His Life and Work

By R. L. UNDERHILL

FREDERICK S. DELLENBAUGH has "crossed the range." This lover of the Far West and its peoples—well known throughout California as a writer and explorer—passed away at his home in New York City several months ago in his 81st year.

Artist, architect, explorer, writer; he covered a wide field of activities and achieved prominence in each endeavor. A lover of the outdoors, his two desires as a youth were to paint and write. Art studies in Paris were a part of his European education.

In 1871, Major Powell, of Grand Canyon fame, included young Dellenbaugh (then but eighteen) as one of a carefully selected group to undertake the perilous exploration trip through the canyons of the Green and the Colorado rivers. A previous trip had ended in disaster and Major Powell accepted the youth as one of the party, "because he knew boats and had nerve." Referring to his career at the time of his death, the *New York Times* said of that incident: "But he had something beyond those qualifications. In him the artist and the poet were companioned with the explorer and the natural scientist."

The trip down the turbulent waters lasted over two years. At intervals, during the period, young Dellenbaugh transferred vivid impressions of the grandeur and of the awe inspiring scenery into his sketch book. Inspiration for further western travel and research also grew out of the journey. He became identified with the important topographic studies and maps of the Colorado River region.

Years afterward he wrote *A Canyon Voyage*, an absorbing account of the expedition. A striking extract reads, in part: "... the scenery assumed such gigantic proportions, the river ran with such fearful velocity ... that it was difficult to realize that we were still in the common world and had not slipped unawares, in some extraordinary way out of it to some undiscovered and tenantless planet."

For many years thereafter much of his time was spent in the West, in the saddle or in camp—the latter often with some band of Indians met with while on the trail. The picturesque life of these nomads, their habits, tribal beliefs, and customs, whether of Sioux or Crow, in the north, or of Hopi or Moqui in Arizona and New Mexico, appealed to him as an artist and writer. The various tribes in California had little of interest for him.

In the early eighties a long trip was made on horseback from Salt Lake through southern Nevada, following the general course of the Old Spanish Trail, marked by Jedediah Strong Smith, Joseph Reddeford Walker and John Charles Frémont, thence across the Mojave Desert into California. The dramatic vicissitudes in the struggle of these early trappers and explorers as they fought their way into California became so attractive to the writer-scientist that he followed carefully their footprints over practically every trail and pass, from the Yuma crossing to Frémont's wanderings around the Upper Klamath region.

In 1899 he was a member of the Harriman expedition which made a trip to Alaska and Siberia to carry out a program of exploration and technical investigation of the coastal regions of the two countries. Other travels took him to Iceland, Norway and Spitzbergen; a later trip was an extensive tour of the West Indies.

Between expeditions, lectures and art work, the books that were planned had to be deferred. Not until his forty-eighth year did the first appear. In 1901, *North Americans of Yesterday* was published. This is a study of the life, customs and history of all the tribes, from the Mayans to the Eskimos. *Breaking the Wilderness* followed: a history of the important events that contributed to opening up the untamed region west of the Mississippi. In 1908 came the Grand Canyon narrative, *A Canyon Voyage*, followed in 1914 by *Frémont and '49*.

These volumes still hold their popularity; indeed to one who reads them will be given a liberal education in the history of the West and its peoples. Their author had a broad mental horizon; whatever subjects he essayed were carefully studied; he knew whereof he wrote, whether of the age of a Mayan temple, or to correct Frémont's statement of the altitude of the Sierra crossing, now known as Carson Pass. His pen, while didactic, was smooth and wrote for the reader's interest.

In California, *Frémont and '49* is by far his most popular work and, more than any other of his complete narratives, gives a fine index of the author's mind; of his thorough knowledge of the early trails and outposts; of his rugged moral courage, tempered with a spirit of forbearance. Several years were spent in bibliographic research; further trips made to California to study again the ground, before its completion.

Starting with some opposition towards the "Pathfinder," he says ". . . the deeper I got, the more I became satisfied that, even admitting many faults, Frémont had not received justice at the hands of his Government nor of his fellow countrymen." Mr. Dellenbaugh used a keen pen against the critics whom he believed were too harsh, even hostile, at times in their caustic comments on Frémont's acts.

Up to the time of his last illness he worked actively on plans for a scenario of Indian life. A number of his paintings of Indian scenes are hanging in

museums throughout the East. In 1932 he received the John Burroughs Association medal for the book, *A Canyon Voyage*.

It was my good fortune to have the pleasure of a prolonged correspondence acquaintance with Mr. Dellenbaugh. To show that his spirit was not dulled with the years, the following quotation is taken from his last letter, written about a month before he passed away.

"All these 'modern' biographies are unfair. The fashion of the day is to 'knock hell' out of anyone who has been able to accomplish anything in life so I am not surprised that they are at it again with Frémont."

NEW MEMBERS

<i>Name</i>	<i>Address</i>	<i>Proposed by</i>
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Bush, Arthur P.	Sausalito	Mrs. Charles L. White
Carlisle, Henry C.	San Francisco	Mr. E. A. Wiltsee
Chambers, Eleanor, M.D.	San Francisco	Mr. Albert M. Bender
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Collier, Charles W.	Belmont	A. T. Leonard, Jr., M.D.
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THE LAW AND ORDER VIEW OF THE SAN FRANCISCO VIGILANCE COM- MITTEE OF 1856

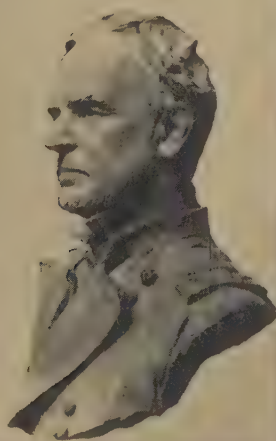
Taken from the Correspondence of Governor J. Neely Johnson

ARRANGED FOR PUBLICATION BY
HERBERT G. FLORCKEN

DURING THE PAST FEW YEARS a term has crept back into popular usage that in the early days of California history had tremendous significance. It is the term VIGILANTE or VIGILANCE COMMITTEE. We have in comparatively recent times witnessed groups of people doing things for which as individuals they would have been severely punished. They have mobbed and hanged murderers; they have raided radical headquarters; they have intimidated objectionable labor agitators; they have been organized to hunt dog poisoners. Under the name VIGILANTE or VIGILANCE COMMITTEE they have traded on the glamor that time has cast over the deeds of early Californians, and far from receiving punishment for their lawless activities, have in many cases received praise and acclaim.

In the early 1850's the population of San Francisco was composed of hardy American pioneers, adventurers from South America and Europe, disreputable cast-offs from our own Eastern states, and hundreds of ex-convicts from Australia. With such a motley population, all of whom were intent upon getting rich as quickly as possible, and many of whom had few or no scruples as to how they would go about it, city government, politics, and justice often degenerated into a farce. Thrice within the first ten years of the settlement of San Francisco—in 1849, in 1851, and again in 1856—the decent, hard-working people of the city arose in desperation, organized themselves into extra-legal law enforcement committees and crushed temporarily at least the power of the city's underworld and its criminal politicians.

Despite the lawlessness of this period, everything that happened in California at that time appeared glamorous to the people of the East, and time has even made those pioneer days appear glamorous to us who today live in California. The result is that the activities of those three early California law enforcement groups (necessary though they may have been at that time) have been so lavishly praised by historians and authors that today the very name VIGILANTE breathes romance, daring, high adventure. Bancroft in his great history of California can find no word of blame for the Vigilantes, no word of praise for the State government of the time. Hittell, Eldredge, and other his-



GOVERNOR J. NEELY JOHNSON OF CALIFORNIA
MAJOR GENERAL JOHN E. WOOL
MAJOR GENERAL WILLIAM T. SHERMAN

Three prominent characters in the dispute between the Law and Order party
and the Vigilance Committee of 1856.

torians of that period take the same attitude. Most fiction writers have followed their lead, and one must seek far for any novel or biography that attempts to explain or condone the motives that actuated those who opposed so bitterly the actions of the early Vigilantes.

Quite by accident a few years ago a student placed a number of letters in the writer's hands, and, if they do not justify the actions of the State government of that period, at least they do show the Governor's sincerity and his frantic efforts to do what he considered his duty. They proved to be a part of the correspondence of Governor J. Neely Johnson relating to the Vigilante movement of 1856. The student, Harold Holman, Jr., of Atwater, California, had received the letters from his mother, *née* Marie Thorpe, who in turn had received them from her mother, Bessie Douglas Johnson, the daughter of Mary Brevoort Zabriskie and J. Neely Johnson. If Mr. Bancroft had been able to consult this correspondence before he wrote his story of the Vigilante uprising of 1856, it is certain that he would have been a little more kindly disposed toward Governor Johnson.

This material was submitted to the Chairman of the Publication Committee, and is now made public for the first time for the purpose of showing something of the other side of the Vigilante affair of 1856.

In order to create a background for the letters in question, quotations have been freely made from the *Memoirs of General William T. Sherman*, and from letters written by him to various people and published in the *Century Magazine* in 1891. Letters from or to Governor Johnson describing conditions in San Francisco during the Terry trial, now in the possession of the State Library at Sacramento, have likewise been used; while the correspondence relating to the attempt on the part of the Governor to bring about the release of Judge Terry through the intervention of the Navy has been taken from *34th Cong., 1st Sess., Senate Ex. Doc. No. 101*.

It is hardly necessary to go into detail regarding the causes of the Vigilante movement of 1856. Most of us know of the murder of United States Marshal Richardson by Cora, and of James King of William by Casey. There is no argument as to the corruption of the government of the City of San Francisco at that time, and few of us will blame its citizens for becoming wildly excited when it seemed that murderers such as Casey and Cora would, because of political influence, escape punishment. But the Governor feared, and General Sherman feared, that if an extra-legal law enforcement group such as the Vigilance Committee were permitted to take over the government of San Francisco and defy the constituted authorities a dangerous precedent would be created. Sherman feared that if the committee were permitted to operate unchecked, Vigilantism would become "a fixed institution, and a part of the common law of California."

With the assumption that the reader is familiar with the story of the killing of James King of William and the resulting excitement in San Francisco, this

account will begin with an extract from Sherman's *Memoirs* telling of the Governor's first contact with the Vigilance Committee.

SHERMAN'S VERSION OF THE CONFERENCE¹

"About the third day after the shooting of King, Governor Johnson telegraphed me that he would be down in the evening boat, and asked me to meet him on arrival for consultation. . . . met the Governor and his brother on the wharf, and walked with him to the International Hotel. . . . We discussed the state of affairs fully; and Johnson, on learning that his particular friend, William T. Coleman, was the president of the Vigilance Committee, proposed to go and see him. . . . We walked to the Turnverein Hall, where the committee was known to be sitting in consultation. . . .

"The Governor knocked at the door, and on inquiry from inside—'Who's there?'—gave his name. After some delay we were admitted . . . [and] the Governor asked to see Coleman. The man left us . . . and soon returned with Coleman, who was pale and agitated. After shaking hands all round, the Governor said, 'Coleman, what the devil is the matter here?' Coleman said, 'Governor, it is time that this shooting on our streets should stop.' The Governor replied, 'I agree with you perfectly, and have come down from Sacramento to assist.' Coleman rejoined that 'the people were tired of it, and had no faith in the officers of the law.' "

Here Coleman's own statement of just what he said at this particular point in the conversation is inserted.

COLEMAN'S STATEMENT²

" 'Now governor' said I, 'You are called upon by the mayor and a class of people here to bring out the militia and try to put down this movement. I assure you it cannot be done, and if you attempt it, it will give you and us a great deal of trouble. It is not the way to treat the question. . . . This is a mere local reform, intended to correct local abuses. Allow us to take up the work and get through with it, . . . without anything more than a formal opposition by the State. Do your duty in issuing your proclamation and manifestos, and maintaining formally the dignity of the law, but leave to us the work, and we shall get through with it in a short time and quit, and quit gladly.' He slapped me on the shoulder and said, 'Go it, old boy! but get through as quickly as you can. Don't prolong it, because there is a terrible opposition and a terrible pressure.' "

Now back to Sherman's account:

SHERMAN'S VERSION CONTINUED³

"A general conversation then followed, in which it was admitted that King would die, and that Casey *must* be executed; but the matter of execution was the thing to be settled, Coleman contending that the people would do it without trusting the courts or the sheriff. . . . Johnson argued that the time had

passed in California for mobs and vigilance committees, and said if Coleman and associates would use their influence to support the law, he (the Governor) would undertake that, as soon as King died, the grand-jury should indict, that Judge Norton would try the murderer, and the whole proceeding should be as speedy as decency would allow. Then Coleman said 'the people had no confidence in Scannell, the sheriff,' who was, he said, in collusion with the rowdy element of San Francisco. Johnson then offered to be personally responsible that Casey should be safely guarded, and should be forthcoming for trial and execution at the proper time . . . to save the city and state from the disgrace of a mob. Coleman disclaimed that the vigilance organization was a 'mob,' admitted that the proposition of the Governor was fair, and all he or anyone should ask; and added, if we would wait awhile, he would submit it to the council, and bring back an answer.

"We waited nearly an hour, . . . when Coleman came back, accompanied by a committee. . . . The whole conversation was gone over again, and the Governor's proposition was positively agreed to, with this further condition, that the Vigilance Committee should send into the jail a small force of their own men, to make certain that Casey should not be carried off or allowed to escape.

"The Governor . . . and I, then went up to the jail, where we found the sheriff and his *posse-comitatus* of police and citizens. . . . The sheriff seemed to agree with the Governor that what he had done was right and best; and, while we were there, some eight or ten armed men arrived from the Vigilance Committee, and were received by the sheriff (Scannell) as a part of his regular *posse*.

"... Next day I was at the bank, . . . when about noon the Governor called. . . . He said he had just received a message from the Vigilance Committee to the effect that they were not bound by Coleman's promise not to do anything till the regular trial by jury should be had, etc. He was with reason furious, and asked me to go with him to Truett's store, over which the Executive Committee was said to be in session. We were admitted to a front-room up-stairs. . . . The Governor inquired for Coleman, but he was not forthcoming. Another of the committee, Seymour, met us, denied *in toto* the promise of the night before, and the Governor openly accused him of treachery and falsehood. . . ."

About eight o'clock on Sunday morning, May 18, Doane, who had been elected chief marshal of the military forces by the Vigilance Committee the day before, reported that his command were ready for immediate service. The Executive Committee of the Vigilantes thereupon ordered him to take over the County Jail; they likewise ordered the withdrawal of the Committee's guard of ten men stationed there and sent a letter to Governor Johnson notifying him of the fact. This note, the first of the interesting Neely Johnson papers, reached him before eleven o'clock that morning:

SECRETARY OF VIGILANCE COMMITTEE TO JOHNSON*

To His Excellency
J. Neely Johnson
Gov. of California

Executive Committee
of Vigilance Committee
San Francisco, May 18, 1856

Dr Sir

We beg to advise you that we have withdrawn our guard from the County Jail.

By Order of the Committee

33 SECRETARY

About noon, a force of over 1500 men marched on the jail, took Casey out and drove him to Vigilance Committee headquarters. Then Cora was taken to the same place. Two days later, on Tuesday, May 20, in the midst of the trial of Casey and Cora, James King of William died, and the Committee, after giving both of the men a fair trial, declared them guilty of murder. They were hanged on Thursday, May 22, while the funeral of James King of William was in progress.

"We all thought the matter had ended there," says Sherman, "and accordingly the Governor returned to Sacramento in disgust, and I went about my business. But it soon became manifest that the Vigilance Committee had no intention to surrender the power thus usurped. They . . . utterly ignored all authority but their own. . . . Business was deranged; and the *Bulletin*, then under control of Tom King, a brother of James, poured out its abuse on some of our best men, as well as the worst."⁵

The following appeal was sent by a group of Law and Order men to the Governor:

RESOLUTIONS PASSED BY THE MAYOR'S COMMITTEE AT
SAN FRANCISCO⁶

Proceedings at a meeting held at the City of San Francisco in the State of California on Tuesday the twenty-seventh of May 1856.

Present the Hon. James Van Ness, Mayor of the City of San Francisco, and numerous citizens.

The meeting was called to order. Hon. R. A. Thompson in the chair. Alexander Campbell, Secretary.

On motion

Resolved

That a committee of three citizens be appointed to confer with the Hon. J. Neely Johnson, Governor of the State, and to inform him on the part of the Mayor of the City of San Francisco and of this meeting, that the said City is now and for the last ten days has been in a state of open, flagrant, and sustained insurrection; that owing to the presence and domination of a large and

overwhelming armed organization in said city, there is no protection therein for life, liberty or property; and to call upon the Governor to suppress the said insurrection and to restore the supremacy of law and order, and for this purpose to request him to call out the militia of the State and to take such other and further steps as may be necessary and proper in the premises.

On motion

Resolved

That Volney E. Howard, John McDougal and Calhoun Benham be the said committee.

All of which was adopted.

A. CAMPBELL

Secy.

R. A. THOMPSON

Pres.

LETTER TRANSMITTING TO GOVERNOR JOHNSON

RESOLUTION OF MAYOR'S COMMITTEE

Sir

Sacramento May 28, 1856.

The undersigned a committee on the part of the Mayor and the law-abiding citizens of the City of San Francisco, herewith present to your attention a minute of proceedings at a meeting of the said Mayor and a number of the said citizens held on the 27th of the current month. We beg to state to you that there is a body of armed men, several thousand in number, known as the "Vigilance Committee," who now hold forcible possession of the said city; that said committee have already overborne the legal authorities; that they have executed summarily without authority, or process of law two of the citizens; that they have arrested without warrant or authority several other citizens and now hold the same by force; that they or persons in their name have exercised in a number of instances the right of searching without process of law or warrant the houses and dwellings of citizens without regard to the character of the same; that they have established themselves as an institution in our midst; that it is understood the same Committee intend to maintain their organization and to continue in the exercise of their unlawful and usurped functions; and that the citizens of the said city have no longer any protection for life, liberty or property.

We, therefore, in the name of the Mayor of the said City and of the law-abiding citizens thereof, request that you, as the officer invested by the constitution and the laws with the requisite authority, will order out the militia of the State and take such other and further steps as may be necessary to suppress the insurrection in said city.

With consideration we have the honor to be Your ob'd't serv'ts

CALHOUN BENHAM
of San Francisco

Hon. J. Neely Johnson
Governor &c &c

JNO. MCDUGAL
of Belmont

We have now come to the cause of all the trouble that followed: the dispute concerning what was really said by Johnson, Sherman and Wool at their meeting at Benicia. Bancroft and others have covered pages giving General Wool's side of the argument. Sherman's *Memoirs* give the Law and Order interpretation of the conversation:

SHERMAN'S ACCOUNT CONTINUED⁸

After receiving these appeals, the Governor—"concluded to go to work regularly, and telegraphed me about the 1st of June [it was May 31] to meet him at General Wool's headquarters at Benicia that night. I went up and we met at the hotel where General Wool was boarding. . . . We discussed the state of the country generally, and I had agreed that if Wool would give us arms and ammunition out of the United States Arsenal at Benicia, and if Commodore Farragut, . . . commanding the navy-yard on Mare Island, would give us a ship, I would call out volunteers, and, when a sufficient number had responded, I would have the arms come down from Benicia in the ship, arm my men, take possession of a thirty-two-pound-gun battery at the Marine Hospital on Rincon Point, thence command a dispersion of the unlawfully-armed force of the Vigilance Committee, and arrest some of the leaders.

"... Wool insisted on a proclamation commanding the Vigilance Committee to disperse, etc., and he told us how he had on some occasion, as far back as 1814, suppressed a mutiny on the Northern frontier. I did not understand him to make any distinct promise of assistance that night, but he invited us to accompany him on an inspection of the arsenal the next day, which we did. . . . Afterward . . . I saw the Secretary of State, D. F. Douglas, Esq., walk out with General Wool in earnest conversation, and [he] afterward asserted that Wool there and then promised us the arms and ammunition, provided the Governor would make his proclamation for the committee to disperse, and that I should afterward call out the militia, etc. On the way back to the hotel at Benicia, General Wool, Captain Callendar of the arsenal, and I, were walking side by side and I was telling him (General Wool) that I would also need some ammunition for the thirty-two-pound guns then in position at Rincon Point, when Wool turned to Callendar and inquired, 'Did I not order those guns to be brought away?' Callendar said: 'Yes, General. I made a requisition on the quartermaster for transportation, but his schooner has been so busy that the guns are still there.' Then said Wool: 'Let them remain; we may have use for them.' I therefrom inferred, of course, that it was all agreed to so far as he was concerned.

"Soon after we had reached the hotel . . . Governor Johnson and I drove to Vallejo . . . crossed over to Mare Island, and walked up to the commandant's house, where we found Commodore Farragut and his family. We stated our business fairly, but the Commodore answered very frankly that he had no authority, without orders from his department, to take any part in civil broils;

he doubted the wisdom of the attempt; said he had no ship available except the John Adams, Captain Boutwell, and that she needed repairs. But he assented at last to the proposition to let the sloop John Adams drop down abreast of the city after certain repairs, to lie off there for *moral effect*, which afterward actually occurred.

"We then returned to Benicia, and Wool's first question was 'What luck?' We answered, 'Not much,' and explained what Commodore Farragut could and would do, and that, instead of having a naval vessel, we would seize and use one of the Pacific Mail Company's steamers, lying at their dock in Benicia, to carry down to San Francisco the arms and munitions when the time came.

"As the time was then near at hand for the arrival of the evening boats, we all walked down to the wharf together, where I told Johnson that he could not be too careful; that I had not heard General Wool make a positive promise of assistance. Upon this, Johnson called General Wool to one side, and we three drew together. Johnson said: 'General Wool, General Sherman is very particular, and wants to know exactly what you propose to do.' Wool answered: 'I understand, Governor, that in the first place a writ of *habeas corpus* will be issued commanding the jailers of the Vigilance Committee to produce the body of some one of the prisoners held by them (which, of course, will be refused); that you then issue your proclamation commanding them to disperse, and, failing this, you will call out the militia, and command General Sherman with it to suppress the Vigilance Committee as an unlawful body;' to which the Governor responded, 'Yes.' 'Then,' said Wool, 'on General Sherman's making his requisition, approved by you, I will order the issue of the necessary arms and ammunition.' I remember well that I said, emphatically: 'That is all I want.—Now, Governor, you may go ahead.' We soon parted; Johnson and Douglas taking the boat to Sacramento, and I to San Francisco."

Relying upon the promise made by General Wool, Johnson sent to Scannell, the sheriff of San Francisco, the following telegram:

TELEGRAPHIC DESPATCH⁹

To D. Scannell, Sheriff of San Francisco County,

Do you require a military force to aid you in executing any process, civil or criminal? Answer briefly by Telegraph, and fully by letter to day.

(Signed) J. NEELY JOHNSON
Gov. of Cal.

SCANNELL'S ANSWER TO JOHNSON'S DESPATCH¹⁰

To His Excellency

San Franc^o, June 2nd, 1856.

J. Neely Johnson

Governor of the State of California

Dear Sir;

I have just received your Telegraphic Despatch, and in reply have to state that on Saturday last a writ of Habeas Corpus was placed in my hands, com-

manding me to take the body of one "William Mulligan," who it was represented was detained in Custody by a body of armed men, styling themselves "Vigilance Committee" and bring the same before the Hon. D. S. Terry, Justice of the Supreme Court of the State of California forthwith; that I attempted to execute said writ, but was resisted in doing so, by a body of armed men and that the power of the County is inadequate to resist the armed force—and that there is a combination here to resist the law, which cannot be put down without exercising the Military power of the State.

Very respectfully

Your obedient Servant

DAVID SCANNELL

Sheriff of the County of San F^{co}.

Upon receipt of this letter from Sheriff Scannell, Governor Johnson wrote that same day to General Sherman ordering him to call out the militia to aid the constituted authorities in enforcing law and order:

THE GOVERNOR'S ORDERS TO SHERMAN¹¹

Executive Department

Sacramento, Cal. June 2d, 1856

To Major-General W. T. Sherman, Sir—

Information having been received by me, that an armed body of men are now organized in the City and County of San Francisco, in this State, in violation of law; and that they have resisted the due execution of law, by preventing a service of a writ of *habeas corpus*, duly issued; and that they are threatening other acts of violence and rebellion, against the Constitution of the laws of the State; you are therefore commanded to call upon such number as you may deem necessary of the enrolled militia, or those subject to military duty, also, upon all the voluntary independent companies of the military Division under your command,—to report, organize, etc., and act with you in the enforcement of the law.

J. NEELY JOHNSON

In accordance with the plan discussed at Benicia, Johnson then issued his proclamation declaring the City and County of San Francisco to be in a state of insurrection. This proclamation caused violent resentment in the city. The Governor must have thought long and hard over its wording, for among the Neely Johnson papers are two rough drafts of it, crossed out, erased and rewritten. However ill-advised it may have been, certainly it was not dashed off in a fit of temper, as many writers have intimated.

THE GOVERNOR'S PROCLAMATION¹²

Executive Department

Sacramento City, Cal.

June 3d, 1856

Whereas satisfactory information has been received by me that Combinations to resist the execution of legal process by force exist in the County of San

Francisco in this State, and that an unlawful organization styling themselves the Vigilance Committee, have resisted by force the execution of Criminal process and that the power of said County has been exerted and has not been sufficient to enable the sheriff of said County to execute such process.—Now therefore, I, J. Neely Johnson, Governor of the State of California, by virtue of the powers vested in me, by the Constitution and Laws thereof, do hereby declare said County of San Francisco in a state of insurrection, and I hereby order and direct all of the Volunteer Military Companies of the County of San Francisco, also all persons subject to Military duty within said County to report themselves for duty, immediately to Major General William T. Sherman, Com[mandin]g Second Division Cal. Militia, to serve for such term in the performance of Military duty under the Command of said Sherman until discharged from service by his orders—also that all Volunteer Military Companies now organized or which may be organized within the Third, Fourth and Fifth Military Divisions of this State—also all persons subject to the performance of Military duty in said Military divisions, hold themselves in readiness to respond to and obey the orders of the Governor of this State or said Sherman for the performance of Military duty in such manner and at such time and place as may be directed by the Governor of this State. I furthermore order and direct that all associations, combinations or organizations whatsoever existing in said County of San Francisco, or elsewhere in this State, in opposition to or in violation of the laws thereof, more particularly the association known as the Vigilance Committee of San Francisco, do disband, and each and every individual thereof yield obedience to the Constitution and the Laws of this State,—the writs and process' of the Courts and all legal orders of the officers of this State and the County of San Francisco.

J. NEELY JOHNSON

The two letters following, written by Sherman on June 2, and by Kibbe, the Quartermaster General, on June 3, would seem to show that the State government really had no thought of 'shooting up' the city, but believed that a show of force alone would cause the Vigilance Committee to disperse:

THE SHERMAN-KIBBE CORRESPONDENCE¹³

Wm. C. Kibbe

Qr Master Genl

Dear Sir,

Banking House of Lucas, Turner & Co.

San Francisco, Cala. June 2, 1856.

Your letter of June 1 is received, and I am much obliged for the Copy of Laws. I have seen Halleck and many gentlemen, who promised to write to Governor Johnson. The late movements have had their effect—the committee is concerned and several gentlemen have consulted me as to the safety of their stores & goods. My answer has been that the Governor may at any moment be compelled to order out the militia in which case I would have to command

them and that I should have to act with decision. No violence is designed on the part of the State Authorities but if resistance is offered to the execution of the laws, force will have to be used in the proportion of the resistance offered—Civil war is so horrible to contemplate that of course we should do all in our power to avoid the necessity. Many things are now operating to stop excitement. A public meeting is now assembled in the Plaza, and has been addressed by A. Campbell and Calhoun Benham. As soon as the freedom of speech is restored, it will be an outlet, or safety valve to the passions that now blind many who are otherwise good people.

The Grand Jury has reported against the Vigilance Committee and somewhat in favor of Scannell but still a great deal is said against Scannell, whose resignation would aid in allaying public excitement. It is said the Committee is giving testimony against new parties, but who they are I cannot tell.

If it be necessary for me to organize my division during the pendency of this public excitement I would like you to come down to aid in arranging such men as you offer into companies & regiments.

I write in haste, being just come from the meeting.

Yrs

Show this to Gov. J.

W. T. SHERMAN

Office Qr Mr. and Adj. Gen. Cal.

San Francisco June 3, 1856

Governor:

Gen Sherman wished me to inform you that your letter has been received and that he is prepared to act forthwith and to act with success. His order will appear in the Alta in the morning calling upon the people to enroll themselves and there is little doubt but what we shall be able to muster a force in this county of sufficient strength to sustain the laws, and quiet present disturbances—Your order is entrusted in discreet hands and if any communication is received asking appointments etc. please refer all such to me or Gen. Sherman, if to me they will be referred to him—As there must be but one head and that head must control all matters.

The opinion now is that we can get through without bloodshed by due preparation, which is certainly desirable if possible—Please forward to me a blank order upon Gen Wool for arms and ammunition and permit it to be filled up here. As we can best judge what quantity is needed.—Also power to secure the services of a steamer to transmit them to this point. No authority you ever give will be used improperly. I shall act under the advice of Gen Sherman in all cases.—

I expect the city will appropriate twenty thousand dollars for Secret Service immediately—this has been recommended.

Your obt Servt

His Excellency

WM. C. KIBBE

J. Neely Johnson

Qr Mr and Adj. Genl.

Governor of the State of California

ADDITIONAL ORDERS FROM JOHNSON¹⁴

Executive Department
Sacramento City, Cal.
June 3d, 1856

Sir—

You are doubtless in possession of the orders I transmitted to you yesterday, by the hands of Adjutant and Quarter Master General Kibbe, in regard to calling out the military force of the Division under your command to aid in the suppression of organized and armed resistance to the due execution of the laws of this State. In addition to the orders therein contained, you will please make such disposition of the arms, accoutrements and ammunition of the State which are now in San Francisco, as may be most effectually employed for the enforcement of your general orders. Also make known to me the kind and quality of arms and ammunition required for the purpose of equipping and rendering effective the military force to be commanded by you; also take such measures on behalf of the State, through the co-operation and aid of the Adjutant and Quarter Master General Kibbe, for one or more steamers to be used, if necessary, in this service.

Very respectfully

Your ob'd't ser't

J. NEELY JOHNSON

To

Major Gen'l

W. T. Sherman

Commanding 2d Division

Cal. Militia

On June 4, Sherman, in accordance with the orders he had received from Johnson, called out the militia. Johnson, relying upon Wool's promise of federal arms and ammunition from the Benicia arsenal, sent the General a note by his aide, Colonel Rowe, asking that the arms be placed at General Sherman's disposal. He then sent to Sherman a copy of his letter to Wool.

To the Governor's amazement, Wool sent him the following curt reply:

GENERAL WOOL'S REFUSAL¹⁵

Headquarters, Department of the Pacific,
Benicia, June 5th, 1856.

To his Excellency J. Neely Johnson,
Governor of California.

Sir: I had the honor to receive last evening your communication of the 4th inst. by Colonel E. A. Rowe.

In reply I would remark that, on examination of the laws of Congress, I find that no person has the authority to grant the request therein presented but the President of the United States. In a recent contest in Kansas Territory, somewhat analogous to that which you state exists in the city of San Francisco, on

application, I believe, of the governor of the Territory for arms and ammunition to aid in suppressing it, the President refused to grant them.

Under these circumstances I am constrained to decline granting your requisition.

I am, very respectfully,

Your obedient servant,

JOHN E. WOOL, Major General

Colonel Rowe immediately called on Sherman and told him of General Wool's "about face." Since Sherman's entire plan of campaign depended for its success on obtaining federal arms and ammunition, his indignation can be imagined. He says of this incident: "I was thunderstruck, as I could look nowhere else for arms, and the idea of enrolling the militia without arms was an absurdity. I waited a day to hear from the Governor of General Wool's exact reply to him, and it not coming, I wrote to General Wool myself on the 6th."¹⁶

SHERMAN'S LETTER TO WOOL¹⁷

San Francisco, June 6, 1856.

General John E. Wool, United States

Army, Commander Pacific Division, Benicia.

My dear General: I was surprised beyond measure to hear yesterday from Colonel Rowe, who brought me a copy of Governor Johnson's letter to you of June 4, that you expressed a determination not to risk the issuance of arms to the militia of this State, under the present aspects of things.

After your assent to the Governor's request in my presence to issue such arms as would be required in the present emergency I cannot think that Colonel Rowe could have got the exact meaning of your reply.

Governor Johnson has issued a proclamation and I have issued orders for the enrollment of the militia. And already several companies have reported, and many more are known to be progressing in the work. Now if we cannot count on getting arms and ammunition as a certainty I should know it as soon as possible. I assure you on my honor that I will not call for a musket or a cartridge till I am dead certain that the arming of the militia will at once restore authority to its legitimate channels. If the number of men or if the character of the men who offer their services are such as I am not willing to command, I will not receive their service.

But I think, my dear General, I should know at once—to-night if possible—by the Stockton Boat, whether in case I call for arms I can have them.

Your friend and servant,

W. T. SHERMAN,

Major-General, California Militia.

The Governor, to make his interpretation of the conversation of May 31 a matter of public record, wrote as follows to General Wool on the morning of June 7, formally requisitioning federal arms and ammunition:

THE GOVERNOR'S LETTER TO GENERAL WOOL¹⁸

Sacramento City, California, June 7, 1856
Executive Department

Sir: As the executive of the State of California, in addition to the representations heretofore made you in person, and by other official communications, I would beg leave to inform you that an armed body of men are now in existence in the city of San Francisco, who have resisted by force and threats the service of a writ of *habeas corpus* duly issued, on or about the 31st day of May, 1856, by one of the justices of the supreme court of this State, and sought to be served by the sheriff of the county of San Francisco, of which I had due notice, and a call made upon me for a military force to aid said officer in the performance of his official duties. In pursuance of the power vested in me as the executive of the State, I did, on the 3rd day of the present month, issue my proclamation, declaring the county of San Francisco in a state of insurrection, and called upon the military force of said county to organize and respond to such call as might be made on them to aid the authorities of the State and county in the enforcement of their legal authority; also, in said proclamation, demanded the disbandonment of such illegal organization or association, known as the "Vigilance Committee," and that they render due obedience to the laws, which demand on such illegal organization, I regret to say, up to the present time has been disregarded and disobeyed, and further threats of violence and opposition to the constitution and laws of the State, even to the end of attempting the overthrow of the State government and creating a civil war, have been and are now made by such organization.

I would further represent, that it is now manifest that the power of the military of this State is urgently and absolutely demanded for the suppression of such disregard of the constitution & laws, and for that object a large military force is now in course of organization under my sanction and authority. It is a large force we will necessarily have to encounter; and for the due protection and maintenance of the authority of the State, I now request of you a sufficient supply of arms, accoutrements and munitions of war, for the use of the State forces; and I guarantee, as executive of the State that the same shall be returned or paid for.

Very respectfully, Your obt svt.

J. NEELY JOHNSON,

Major General John E. Wool,

Governor of California.

Commanding Pacific Division, U.S.A., Benicia

P. S.¹⁹ On a former occasion, to wit, the 31st day of May 1856 you promised me on the happening of a certain contingency indicated by yourself (which from the foregoing communication you will perceive has occurred) that you would furnish on my order as the Governor of the State, such arms as I wanted, I doubt not you will not hesitate in the present emergency to comply with the request now preferred, and that the order I now make may be rendered more

specific I will ask that you furnish me with 3,000. Stand of Muskets or rifles, 50 rounds of ammunition—2 mortars 300 Shells and Two Guns of large Calibre as you have with their ammunition and appliances.

J. NEELY JOHNSON
Govr Cal.

GENERAL SHERMAN QUOTED AGAIN

To get once more the Law and Order point of view concerning the Benicia conference of June 7, Sherman's *Memoirs* are again quoted. In his letter of June 6, he says that he wants a reply from Wool by the night boat from Stockton that will pick up mail at Benicia, and in his *Memoirs* he writes: "I did wait for his letter, but it did not come, and the next day I got a telegraphic dispatch from Governor Johnson . . . asking me to meet him again at Benicia that night.

"I went up in the evening boat, and found General Wool's aide-de-camp, Captain Arnold, of the army, on the wharf, with a letter in his hand, which he said was for me. I asked for it, but he said he knew its importance, and preferred we should go to General Wool's room together, and the general could hand it to me in person. We did go right up to General Wool's, who took the sealed parcel and laid it aside, saying that it was literally a copy of one he had sent to Governor Johnson, who would doubtless give me a copy; but I insisted that I had made a written communication, and was entitled to a written answer.

"At that moment several gentlemen of the 'Conciliation party,' who had come up in the same steamer with me, asked for admission and came in. I recall the names of Crockett, Foote, Bailey Peyton, Judge Thornton, Donohue, etc., and the conversation became general, Wool trying to explain away the effect of our misunderstanding, taking good pains not to deny his promise made to me personally *on the wharf*. I renewed my application for the letter addressed to me, then lying on his table. On my statement of the case, Bailey Peyton said, 'General Wool, I think General Sherman has a right to a written answer from you, for he is surely compromised.' Upon this Wool handed me the letter. I opened it and read it, and it denied any promise of arms, but otherwise was extremely evasive and non-committal. I had heard of the arrival at the wharf of the Governor and party, and was expecting them at Wool's room, but, instead of stopping at the hotel where we were, they passed to another hotel on the block above. I went up and found there, in a room on the second floor over the bar-room, Governor Johnson, Chief-Justice Terry, Jones, of Palmer, Cooke & Co., E. D. Baker, Volney E. Howard, and one or two others. All were talking furiously against Wool, denouncing him as a d—d liar, and not sparing the severest terms. I showed the Governor General Wool's letter to me, which he said was in effect the same as the one addressed to and received by him at Sacramento. He was so offended that he would not even call on General Wool, and said he would never again recognize him as an officer or

gentleman. We discussed matters generally. . . . I explained that there were no arms in the State except what General Wool had, or what were in the hands of the Vigilance Committee of San Francisco, and that the part of wisdom for us was to be patient and cautious. About that time Crockett and his associates sent up their cards. . . . Johnson . . . sent word for them to reduce their business to *writing*. They simply sent in a written request for an audience, and they were promptly admitted. After some general conversation, the Governor said he was prepared to hear them, when Mr. Crockett arose and made a prepared speech embracing a clear and fair statement of the condition of things in San Francisco, concluding with the assertion of the willingness of the committee to disband and submit to trial after a certain date not very remote. All the time Crockett was speaking, Terry sat with his hat on, drawn over his eyes, and with his feet on a table. As soon as Crockett was through, they were dismissed, and Johnson began to prepare a written answer. This was scratched, altered, and amended, to suit the notions of his counselors, and at last was copied and sent. This answer amounted to little or nothing."²⁰

JOHNSON'S REPLY TO CROCKETT²¹

Benicia, Cal., June 7th, 1856

Hon. J. B. Crockett & others,
Committee from Citizens of San Francisco.
Gentlemen,

In reply to the Verbal Communication made to me this evening in relation to the existing state of affairs in the City of San Francisco, I have to say that the wishes you have expressed, that those unhappy difficulties may be adjusted without bloodshed, fully accord with my own desires, and I can assure you that nothing shall be done on the part of the State authorities which will not be rendered imperatively necessary to secure a compliance with the terms of the Executive Proclamation issued by me on the 3d Inst. By virtue of the Constitution of this State, it is rendered my duty to enforce the execution of the laws:—this duty I shall perform and if unhappily a collision occur and injuries result to life or property,—the responsibility must rest upon those who shall choose to continue to disregard the authority of the State.

Very Respectfully,

Your Obedt Svt

J. NEELY JOHNSON

Sherman was by this time disgusted with the whole affair, and realizing that he could do nothing without arms and ammunition resigned on the spot. In his *Memoirs* he says:

SHERMAN TENDERS HIS RESIGNATION²²

"Seeing that we were powerless for good, and that violent counsels would prevail under the influence of Terry and others, I sat down at the table, and wrote my resignation, which Johnson accepted in a complimentary note on

the spot, and at the same time he appointed to my place General Volney E. Howard, then present. . . .

"I went soon after to General Wool's room, where I found Crockett and the rest of his party; told them that I was out of the fight, having resigned my commission; . . . and that I would thenceforth mind my own business and leave public affairs severely alone. . . . In my opinion, there is not a shadow of doubt that General Wool did deliberately deceive us; that he had authority to issue arms, and that, had he adhered to his promise, we could have checked the committee before it became a fixed institution, and a part of the common law of California."

On June 9, Governor Johnson sent out the following letter and general order transferring the command of the California militia to General Volney E. Howard:

THE GENERAL ORDER²³

Executive Department
Sacramento City, Cal.
June 9th, 1856

Whereas I have this day appointed Volney E. Howard Maj. Genl. Comg 4th Division Cal. Mil—to the Chief Command of the Military forces which have been or may be ordered into the service of this State to suppress an existing insurrection in the City of San Francisco and aid in maintaining the Constitution and laws of this State—therefore all persons who have heretofore by orders issued by me on the second day of this month, also Executive Proclamation of the 3d Inst. who were required to report to or obey the orders of the Major General Commanding 2d Division Cal. Mil. are hereby required to obey such orders as may be issued by the said Howard as the officer in Command of such forces.

J. NEELY JOHNSON

HOWARD'S APPOINTMENT²⁴

Executive Department
Sacramento City, Cal
June 9th, 1856

Sir:

You are hereby ordered to proceed at once to the city of San Francisco in this State and assume the command until further orders of such Military forces of the State as have been or may be called into the Service by virtue of an order issued by me to Maj. Genl William T. Sherman on the 2d inst, also the Executive Proclamation issued on the 3d day of the present month.

Very Respectfully

Your Obt Svt
J. NEELY JOHNSON

To Volney E. Howard
Maj. Genl.
Comdg 4th Division
Cal. Mil.

On that same day, June 9, General Sherman addressed the following letter to Governor Johnson, giving him a few more reasons for his resignation and also giving him an intimation of the storm that was about to break in San Francisco when the business men's committee, headed by Crockett, made public the way in which they had been treated by the Governor and his friends at Benicia.

SHERMAN'S LETTER OF EXPLANATION²⁵

San Francisco, Cal.

June 9, 1856

Governor Johnson

Dear Sir

After leaving you at the Solano Hotel on Saturday night I went to the American Hotel to see Genl Wool and procure from him the written answer he had already made to my communication and to say to him that you proposed to visit him in a short time. I expected you to come there before the arrival of the Stockton Boat in which I was to return to this City, but as you did not come I delivered into Colonel Rowe's hand the written resignation I had shown you before. As soon as Genl Wool made his extraordinary decision I saw I was in a false position, and from the extreme ideas of Judge Terry, General Howard and others I felt that my moderate ideas must stand in the way of those vigorous steps which you in your judgment deemed necessary. Also I had assured Mr. Crockett and others of the Committee who waited on you that I thought representations coming from men of their class & influence would be gladly received by you with high consideration. That Committee were evidently dissatisfied with their interview and its result, and came back from the City believing that they were not treated with the Courtesy to which they were entitled. I tried on the way down to disabuse their minds but without success and I regret to say that several gentlemen who have been zealous on our side from the first are now lukewarm. Very great exception is taken to the fact that Edward Jones, and the editor of a Sacramento paper were with you all the time and allowed more free intercourse than a committee of Gentlemen, who desired to intercede for an arrangement, and if nothing else to put the Vigilance Committee so far in the wrong as to assist in arraying public opinion against them. Yesterday I found so many silly reports afloat that I thought proper to publish a card in this mornings paper showing why I had given you my resignation—I have seen General Kibbe this morning and I suggested Halleck to him as the best man I knew as my successor, but on seeing him he was not willing to commit himself—Crittenden, A.P. is a military man, and on your side. I feel at a loss whom to recommend, but I do hope that matters do not be precipitated—You have asserted your authority and it is no use denying the fact that there is no power here at your Command adequate to destroy the Vigilance Committee and if in your judgment forces are to be called in from outside counties be sure that a corresponding number do not

come on the other side. I hear you have today a row at Sacramento. It seems that all the elements are let loose on us. [P. T.] Herbert's conduct is an element of disgrace against our Cause. I write hastily & must add that a person with such varied interests as I have to watch cannot do justice to the position I have just vacated.

Believe me Sincerely yr friend

W. T. SHERMAN

Since both the Governor and General Sherman were so violently criticized by contemporary newspapers for their attitude toward the Vigilance Committee at this time, it is interesting to quote in part at this point a letter written by Sherman to Thomas Ewing on June 16, in which he defends his actions and tries to show that the Governor, far from being either a knave or a fool, was the victim of unfortunate circumstances.

EXTRACT FROM SHERMAN'S LETTER TO EWING²⁶

. . . I found myself strangely placed [as a result of General Wool's decision]: under a militia commission to quell a civil strife, the mass of the people against me, arms refused by the only authority that could give them, and the Governor under other influences than my own. I believe that night through the instrumentality of that [business men's] committee I would have brought the Vigilantes to a dead standstill . . . but these men, Terry, Jones, Baker, etc., had made the Governor believe the committee was caving in, and that he must follow them up rapidly and force them to disband absolutely, to submit unconditionally. If he had the force or backing of the people such a stand would have been right, but at that moment, though he thought otherwise, I was convinced that nine tenths of the people of the State ratified the acts of the Vigilance Committee, but many, a great many, were willing to say they had gone far enough and should stop. General Wool having denied arms, and the Governor having assumed such high grounds against my known advice, I was forced to resign and trust to my motives being understood. . . .

With my resignation all show of resistance ceased here. Nobody but the most active would serve under Volney E. Howard, and the Governor holds out at Sacramento yet, sticking by his proclamation, but he has no person to enforce it, and at this moment the Vigilance Committee has absolute sway in this city. What they propose to do, how long their power is to last, or whether they will consent to the courts exercising any power, are questions that no one now asks. All men now hurrah and applaud their wisdom. . . . The committee have published a sort of Declaration of Independence, a constitution. They, over the signature of "33 Secretary" announce their will, and it is bowed to. . . . Steadily they have organized a power irresistible by any force at the Governor's call, and have wielded that power without violence. I never feared any danger from them as a body, if they could control their men, and my appre-

hension was that in case I were found to arm my side, a general battle would be drawn on by detached parties, in which event it would have been entirely ruinous to the city. It was this apprehension that made the committee agree to the terms they did. . . .

Governor Johnson is a young men elected by the Know-nothing party, and of a high personal character. When, however, this storm burst upon him his old friends left him, and he was found to ally himself with men who had private griefs to avenge, or who acted from extreme notions. Few about him were governed by his high, pure principles. He felt as though the honor of his office might be stained whilst in his hands, and he strove to arrest it, but he miscalculated the strength of his adversaries. He is now powerless; for the militia, his only reliance to coerce obedience to his orders, have deserted him in mass, leaving him the naked, unsupported position of governor . . . so high has this feeling run that all business men have yielded to it, and have regarded those who favored the cause of Law and Order as enemies of the people, and withdrawn their patronage from newspapers and all other interests controlled by Law and Order men. . . . What is to be the end of this no one can tell. I fear no violence, but expect the Vigilance Committee will force away their present list of culprits, and then drop back into their business, for the expense of their organization must be heavy, and will as usual fall on a few of the most zealous, who, as soon as their zeal evaporates, will give in. How few the courts will disturb is a doubtful question, and on it may depend the future conduct of the committee.

Affectionately yours,

W. T. SHERMAN

As Sherman predicted, the report carried to San Francisco by the business men who met with the Governor and his friends at Benicia brought down a storm of abuse on the head of the Governor. The newspapers claimed that the Governor had surrounded himself with a group of violent ultra-reactionaries, and that he and his friends had treated the San Francisco delegation with deliberate discourtesy. The Governor's brother, then living in San Francisco, wrote him this excited, yet cheering letter:

WILLIAM JOHNSON'S LETTER²⁷

San Francisco

Monday June 9, 1856.

My Dear Brother —

Everything is excitement and confusion here—Things present to the public gaze more beligerent aspects than at any time since the commencement of these unfortunate and deploreable difficulties. It can with truth be said now, that business is at a stand still. "Hung be the Heavens in black." Dark portentous clouds loom up on the horizon. With the calm, sober thinking and cool, no conflict is anticipated because they know full well, that no attack will be made by the *authorities* of State, without the satisfactory evidence that

they have sufficient numbers to combat with the Vigilance C. All eyes are now turned for public safety to you and your advisers. In cool and deliberate judgement, they seem to have the *utmost* confidence. To have a perfect military organization such as will enable you to enforce submission to the Laws, you *must* have some one at the *head*, who possesses—first a requisite knowledge of such affairs, 2ndly who can inspire confidence in the men, 3rdly, whose discretion and deliberate judgement will keep him from rushing headlong and passionately into matters. Coolness and moderation, above all things in the world are most needed on an occasion of this sort. Do not for Heavens sake, give the command to an *impetuous* hot-headed man. The first gun that is *fired* now, or the first demonstration made by the indiscretion of any foolish man of either side, would light a match that would set this whole state in a blaze. All we want now is that you *allow nothing* to be done *without* your *express orders*—not even if the committee should continue for the time being, the same unlawful proceedings that have marked its past course. You have taken a *stand*. You are right, and in their *hearts*, they know it.—And the time is not distant when they will own it. But if the state cannot furnish sufficient resources to quell it—and put it down, then *you* are left powerless. And you can say, “I have done *my* duty—what more can be expected”—Gen’l Wool has acted most wretchedly. His conduct is highly reprehensible. He never can explain it away. All good men here blame him—And every minute in the day, persons are candidly owning up, that *you have done your duty*. Eight tenths of this Community are in the Committee. God knows it is an awful state of affairs, but it is *even so*. The only Course of policy now left to be pursued in my Humble judgement is to go on gradually as you have been—enrolling men—in the course of one week you’ll then be able to determine whether or not, you can get sufficient *force* in *the state* to put down this organization. Then, I believe, *your last* resort is an appeal to the General Government at Washington—You do not want a conflict in any event. And more particularly would you avoid it if you were *satisfied* that their *force* so greatly overpowered *yours* in numbers. At all events *you* can afford to wait—for as the thing now is you *are at no expense*—Whilst on the other hand their organization is kept at the most exorbitant cost of money and personal sacrifice. They cannot stand it as long as you can—You can *worry them out*. Several notices have been served upon “Well known characters” here to leave by the 20th inst. Privately I believe them to be very bad men, and the Community would lose nothing in being rid of them. And my impression is that some, if not all, of them will go. One or two hot headed and excited law & order men say that they want the military here at present formed to be called together—say the 1st Inftry. Battalion—about 360 men—take up their “headquarters” at some stated place and call these fellows (that the Committee have notified to leave) together within their fold—and say to the Committee, gentlemen, you cannot have them. This is the way some of our men talk. I only state it

to show you how foolish and indiscreet some of them are. Nothing would be more disastrous than a step of this kind. Let these villians look out for themselves. Its even a pity that the constitution promises them protection.

Genl Sherman's resigning done us no *good*. Your answer to that Committee met with the approval of the people generally. I am sorry Ed Jones was there. All such things—when there is such a prejudice as exists against the firm of which he is a member—somewhat weakens a cause and gives the opposite party a handle. But let this pass—

I am informed upon good authority that Peyton, Foote, Crockett & Macon-dray & Co. thought themselves treated rather discourteously by you when you received them at Benicia; that Ed Jones & John White sat quietly—with all the dignity and consequence of *Peers*, while these other gentlemen were not even *invited* to take a seat. They have been talking about it since their return and endeavoring from all I can learn to make some capital out of it. Foote is as unreliable and changeable as the wind—Would like to have an Extra Session of the Legislature called to run into the U. S. Senate on the all absorbing popular issue. Great God! What a commentary on our Laws and Institutions. To think of such a man first assisting to trample under Foote the Constitution and then presuming to look so giddy high as the United States Senate.

I know of nothing else to say—The various rumors afloat are not worthy of notice. It does seem that California is in a bad streak of luck—The last three steamers that arrived brought bad news—and now comes another with the account of Phil Herberts course for which there can be no good excuse—Today we hear again of people being shot in Sacramento and above there. All this strengthens the Vigilance Committee, adds new flames to the fire and causes many, yes, very many to join them who Before would have been inactive.

I will not now write any more—All I have to say is—go on. I am with you heart, soul & body—I hope you will not allow yourself to be annoyed by the d—d hireling and time serving skuts of this city. When the angry billows of human passion come with redoubled surges against the steadfast rock on the seashore, they only break and shatter themselves to pieces without effecting the perma[ne]nt land mark of time. You can afford to be talked of as these papers speak. Place a man in your position and let him pass through such a fiery ordeal, and come out *unscathed* as I know *you will*, and it only makes him loom up the brighter. There is a time coming when the reaction will be most terrible against *your present* villifyers. Take things cooly & whatever you do—do it on *your own* judgment, and not under advice of the thousands who will flock around you with volunteered council. And then I am sure all will be *done* right.

Yours affectionately

WM.

The next day, in order to make his position clear and to answer some of the criticisms being made concerning his conduct at the Benicia conference, the Governor wrote to General Sherman:

Sacramento City Cal

June 10th 1856

My dear Sir

I am this morning in receipt of your communication of yesterday—have also read your letter published in the papers in relation to the existing state of affairs—especially connected with the interview I had on a previous occasion with Genl Wool. I regret that we should [have] committed to paper and the public a statement of these matters without furnishing it in full—because the partial statement of that interview as stated by you, would seem to give Genl Wool the vantage ground (which he will perceive the Bulletin has seized hold of in its issue of yesterday) when you say Genl Wool promised to furnish &c “on a *proper* requisition.” Genl Wool’s language as I recollect it was (when I called on him the last moment of our being together in reply to my remark “that no misunderstanding should occur”)—was simply this, “you never mind—issue your Proclamation and if they dont obey it at once I’ll issue on *your* requisition (that was to me) what arms and ammunition you want.” The reply of his was at the Benicia Dock—but a few moments before your departure for San Francisco. I can recall to recollection no remark of his, “I’ll issue arms and ammunition on a *proper* requisition.” The reason why I have taken this liberty of correcting your recollection of this matter is obvious—I only desire that Genl Wool shall be held to strict accountability which his mendacious conduct deserves—and I do not intend he shall ever have the benefit of a quibble in his favor which is not fully justified by the facts in the case.

Regarding your resignation I also think you should have given me the credit of having suggested to you the propriety of your so doing—“not from a disagreement of opinions—because I had not perceived any, neither from want of confidence in you because I had neither experienced or expressed such”—“but simply from business considerations and duty of a paramount character you owed to others who were not here to dissent from your decisions which they might hereafter have done and with reasonable cause—in assuming a Military Command under the circumstances of this extraordinary state of affairs well calculated to affect their business relations.” I regret there should have existed even the pretext of a cause for dissatisfaction on the part of the Committee and it really occurs to me—those who find fault with my action or conduct on that occasion are such as desire to invoke censure on exceedingly slight pretenses.

I certainly endeavored to treat them with all due courtesy. Maybe not so skilled by experience in diplomatic circles as my venerable friend Gov. Foote, I may have invaded the rules which he regards essential in such interviews. This, however, cannot affect the substance, that of my reply. It is certainly courteous and respectful—maybe it lacks the quality those gentlemen

were disappointed in not finding, viz: An absolute recantation of a previously avowed requirement from the V. C.; and because my honor and sense of duty would not submit to concessions they unreasonably expected, wherewith to ratify an unlawful association. The disappointment attending a successful result of their mission, may have provoked them, or some of them at least, to seek in minor matters an excuse for their own folly, which for a moment believed me guilty of such mendacity. As for the presence of Mr. White, I will simply remark, Gov. Foote's objections to him are purely political. This is no time for me to make his political quarrels or imaginary wrongs my guide of action. Mr. White, as the editor of the "Journal," of this city, has, in the past, abused me *better*, and I believe more unjustly, than ever did he, Gov. Foote. Yet, now he supports me against these same sunshine friends who helped to elevate me to a place they now seek to disgrace me in. More than that; he is on the side of the Constitution and laws—to defend them against the assaults of those whose character and past action should prove an earnest of better counsels. Those who defend me and the Government from such pseudo friends am I not right in counselling with? As for Ned. Jones, the same unlucky accident that brought me in contact with this committee, introduced me to Mr. Jones at Benicia. I knew not of the presence of either until I arrived at Benicia; and as for counselling with them there or elsewhere, it is simply a falsehood. The request I made that the demands of the committee should be in writing, was a wise precaution, judging by at least two previous interviews of which you know. However, certainly I waived it, and listened patiently to Col. Crocket's talk for at least a half an hour, and only regretted, so that no misunderstanding could exist, that my response should be in writing. But enough of this. God knows I want peace, but not at the sacrifice of honor. Counsel the disbandment of the V. C., and desistance from their insane madness. If they do not disband, God only knows the result.

J. NEELY JOHNSON

To

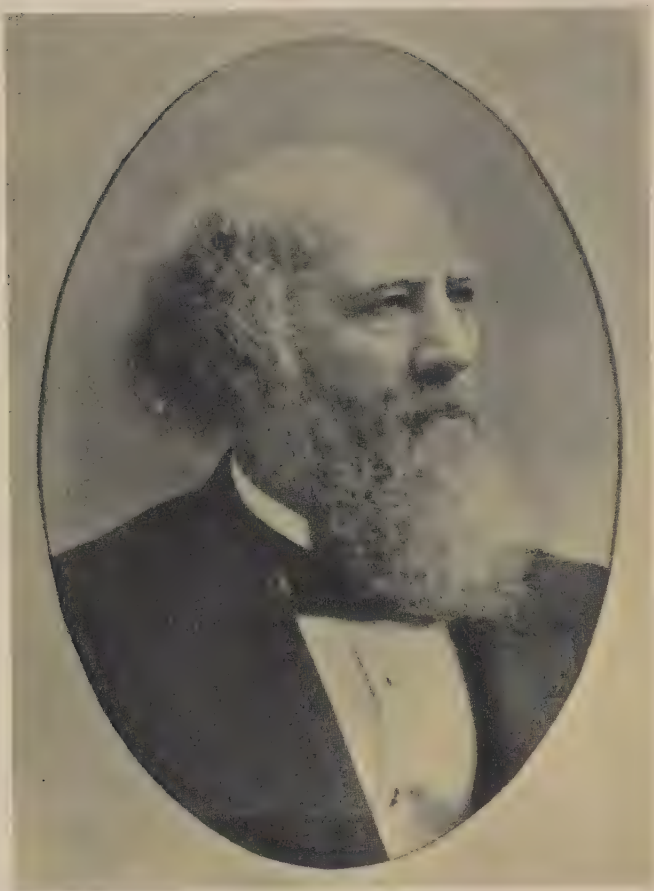
Gen'l W. T. Sherman

[*To be continued*]

NOTES

1. *Memoirs of General William T. Sherman* (New York: D. Appleton and Company, 1875), I, 121-22.
2. *Century Illustrated Monthly Magazine*, Nov. 1891, XLIII, 140.
3. *Sherman's Memoirs*, I, 122-23.
4. Original in J. Neely Johnson papers.
5. *Sherman's Memoirs*, I, 124-25.
6. Copy of the proceedings, doubtless in the hand of A. Campbell, in Johnson papers.
7. Copy in Johnson papers.
8. *Sherman's Memoirs*, I, 125-27.
9. Copy dated June 2, 1856, in Johnson papers.

10. Original in Johnson papers.
11. Smith, Frank Meriweather, *San Francisco Vigilance Committee of '56* (San Francisco, 1883), p. 57.
12. From Governor Johnson's rough draft, also printed in *34th Cong., 1st Sess., Senate Ex. Doc. No. 101*, p. 6.
13. Vigilance Committee letters in State Library, Sacramento.
14. Copy in Johnson papers.
15. *Century Magazine*, Dec. 1891, XLIII, 305.
16. *Century Magazine*, Dec. 1891, XLIII, 303.
17. *Century Magazine*, Dec. 1891, XLIII, 306.
18. Vigilance Committee letters in State Library, Sacramento; also published in *34th Cong., 1st Sess., Senate Ex. Doc. No. 101*, pp. 4-5; and quoted in part in Bancroft, H. H., *Popular Tribunals*, II, 312.
19. Draft in Johnson papers.
20. Sherman's *Memoirs*, I, 128-30.
21. Copy, in Johnson's hand, Johnson papers.
22. Sherman's *Memoirs*, I, 130-31.
23. Draft, in Johnson's hand, Johnson papers.
24. Copy in Johnson papers.
25. Original in Johnson papers.
26. *Century Magazine*, Dec. 1891, XLIII, 304-5.
27. Original in Johnson papers.
28. Copy, partly in Johnson's hand, Johnson papers.



STEPHEN J. FIELD

Alcalde of Marysville in 1850, later Associate Justice of the
United States Supreme Court.

THE BEGINNINGS OF MARYSVILLE

By EARL RAMEY

PART II

MARYSVILLE BECOMES COUNTY SEAT

One of the first and most urgent tasks before the new legislature which met in December, 1849, was that of partitioning the State into counties, designating seats of justice, and establishing county governments. Accordingly, select committees on "Counties and County Boundaries" were formed in both houses and were headed by Senator Pablo de la Guerra, of Santa Barbara, and Assemblyman P. B. Cornwall, of Sacramento. These committees were formed during the last days of December and were expected to make some kind of recommendations within a short time. This was most necessary, for California was then in the midst of the most active period of settlement and town building. It is not surprising, then, that the first report of January 4, by De la Guerra, in which were recommended only eighteen counties, should have become no more than a first draft, which was necessarily changed many times during the next month and a half to keep abreast of the rapid extension of population towards the mines.

We should not expect to find any notice given to the village of Marysville in this report, for on January 4 hardly more than a paper town existed at Nye's Ranch. Nor was there any provision for a Yuba County. What now falls within its boundaries was then included in an over-sized Sutter County, of which the following is a description:

Beginning at the mouth of Honcut [Honcut] creek and running up said Creek to its source; thence taking the dividing ridge between Yuba and Feather rivers to the summit of the Sierra Nevada; thence in a southerly direction following the summit of the Sierra Nevada to the N. E. corner of Sacramento county; thence down the western slope of the Sierra Nevada following the northern boundary of Sacramento county to the Sacramento river; thence running up the middle of said river to a point due west of the mouth of Honcut creek and thence running due east to the mouth of said creek which was the place of beginning

A further evidence of the indifference of the committee towards the Yuba district was the provision for "the seat of justice to be at Vernon until removed in the manner to be prescribed by law."¹

On January 18, De la Guerra made an "additional" report. During these few days, news of the settlement on the Yuba had reached the legislators at San Jose, and the Sacramento delegation (probably as a result of petition) requested of the committee the formation of a new county to be called Yuba.

The committee was agreeable; and Yuba County was provided for in this second report, but the seat of justice was to be at Kearney on the Bear River.²

Considering the means of communication of the time, it is remarkable that on January 24 Mr. Cornwall presented to the assembly a petition "from sundry citizens of Marysville praying for the location of the county seat of Yuba county at said place."³ The petition was referred to the Committee on Counties, but apparently the members could not agree or hesitated to choose between Marysville and Kearney, because Mr. J. S. Bradford, of Sonoma, in reporting the petition back to the assembly, asked to be discharged from further consideration, and offered a resolution to refer the petition to the Committee of the Whole. This resolution was adopted.⁴

"An Act subdividing the State into counties and establishing the seats of Justice therein," which passed the senate and which was sent to the assembly the first week of February, named Kearney as the seat of justice for Yuba County. The friends of Marysville were in the assembly and not in the senate. Only on February 12, the day before final passage of the bill, was the destiny of Marysville determined. The Committee of the Whole was considering it section by section, and when section 19 was reached, Mr. John H. Watson, of Sacramento, moved to strike out Kearney and insert Yubaville. This gentleman had not heard of the new name for Yubaville; so Mr. George B. Tingley of Sacramento moved to amend the first amendment by striking out Kearney and inserting Marysville. Both amendments were adopted. The next day, February 14, the senate concurred in the amendments of the assembly, and on February 18 the Governor signed the act. Thus Marysville became the seat of justice for Yuba County.⁵

The legislature ordered elections for county officers to be held the first Monday in April. The campaign preceding this election was the first genuine political contest to be held in the new city; so it is unfortunate that we have no descriptive record. An early historian assured us that "political matters were lively," that there was a "horde of candidates," and that there was a "lively contest";⁶ but he refrained from giving us what must have been entertaining details. A correspondent to the *Placer Times*, writing from Marysville, regretted "Judge Field's late defeat" in the latter's race for county judge, because this writer believed him to be the "logical man" for the office. This defeat was attributed to the fact that Field had been ill and that his friends had failed to work for him.⁷ Perhaps this defeat was the cause of Field's omission of a discussion of this campaign in his *Reminiscences*.

The two reasons given above for the defeat of Stephen J. Field, the incumbent in the highest office of the community, are plausible but certainly not adequate. It has previously been suggested that he might have made enemies while serving as town dictator; but even that reason is inadequate to explain his defeat. A reasonable conclusion is that Field was defeated by a more experienced politician and a veteran of other political battles.

SHORT SKETCHES OF THE SUCCESSFUL CANDIDATES

Henry Peter Haun was born January 18, 1815, at Newton, Scott County, Kentucky. He studied law at the Transylvania University in Lexington, and was admitted to the bar of his native State in 1839. He practiced in Lexington five years, and then was elected prosecuting attorney for Scott County. But in 1845 he migrated to the territory of Iowa, where his brothers, Andrew J. and David L. (both later residents of Marysville), were already established in business at Hauntown, Clinton County. Henry became associated with them in their distillery, sawmill, and store, but continued a legal practice in the new county and engaged in its political activities. He served as delegate to the constitutional convention and helped to frame the first constitution for the State of Iowa. In 1849, he crossed the plains to California, and coming direct to Marysville, arrived in the early part of January before the town was founded. The *ayuntamiento* did not tempt him to enter politics, but he was one of the first attorneys to serve as counsel in cases heard before the alcalde's court. The office of county judge was more tempting; he became a candidate and was elected. The District Court overshadowed the County Court and left few cases of importance for the latter; but Haun was also Chief Justice of the Court of Sessions and shared with his two associates, Justices of the Peace F. W. Barnard and O. P. Stidger, the powers now vested in the county supervisors. Because of this position of power, which he occupied until 1855, Haun was highly regarded in the councils of the Democratic party, being considered a potential candidate for governor. He had been a runner-up when Governor Weller was chosen in 1858; so when David C. Broderick was killed in 1859, Haun was appointed to serve out the term in the United States Senate. He died on June 6, 1860, in Marysville, having contracted a fever in Panama on his way home from Washington.⁸

Robert Bloomer Buchanan was born in Pennsylvania in 1822, but while he was yet a child his family moved to the State of Wisconsin, where he lived until 1849 when he came to California. The first record of his political activities which we have is the order, already noted, of the alcalde appointing him to serve as sheriff in the place of the elected officer who had declined to serve. Buchanan was the successful candidate for the office of sheriff in the election of April; thus he was the first peace officer of Marysville. This picturesque individual lived in Marysville only six years; he died prematurely in 1855. But during his short career he was one of the most prominent pioneers of his group, and many references will be made to him in this account.⁹

Samuel B. Mulford, from Pennsylvania, elected county attorney, was one of the most popular and successful members of the Yuba bar and was active in city and county politics until his death in 1863.¹⁰

Edward D. Wheeler, a native of Roxbury, Connecticut, was living at St. Louis, Missouri, when he started across the plains to California in 1849. Upon his arrival, Placerville seemed to be the promising settlement; so he practiced

there until February, 1850, when he moved to Marysville. Two months later he was elected county clerk. Thus began a political career for this pioneer who, after ten years of local office holding, was able to rise by way of the State senate to the position of judge of the 19th Judicial District, which he held until 1880.¹¹

The other county offices were filled by men who became prominent locally but about whom we know very little before their arrival in Marysville. Alfred Lawton, in whose hand many of our early documents were copied, became recorder. James B. Cushing, later Marysville's first postmaster, became county surveyor. L. W. Taylor, a versatile business man of the fifties, was chosen treasurer. Colonel Schuyler C. Tompkins, of New York, proprietor of "The Old Oak Trees," was elected assessor, and Dr. S. T. Brewster, of New York, became the coroner. The fact that seven hundred votes were cast in and near the town of Marysville made this election, and the government chosen, primarily affairs of the town rather than of the county.¹² This number of ballots also indicates the growth in population in the two months since January 18, when but 231 votes were cast.

FRONTIER COURT PROCEDURE

Not long after the County and District Courts were functioning in Marysville, there occurred an amazing conflict between two personalities which involved a large portion of the population (at least indirectly), and which nearly overtaxed the capacity of a time-honored institution to maintain itself on the frontier. Reference is here made to the famous Field-Turner affair, about which much has been written, but which affair yet remains somewhat confused in all accounts. This confusion is inevitable because part of the record has to be taken from partisan documents. The account which follows is not presented as the first and only entirely accurate one, for the very good reason that the same records have been previously used by others.

On June 7, the case of *D. E. Cameron vs. J. A. Sutter* was being heard by Judge William R. Turner, who was holding a session of the District Court of the Eight Judicial District. Stephen J. Field was defending Captain Sutter. Before the case had progressed far, the judge made a preliminary ruling in favor of the plaintiff. Field believed that the ruling was contrary to law, and so declared, but in such manner as to offend the court. Here is a point in the narrative where we have contradicting records. Field and his champions declare that he remained respectful and calm and tried only to appeal from the ruling by reminding the court of the law covering the particular point. Turner's version is that Field rose and began to read the law before he excepted to the ruling, failed to be seated when order to do so, and insisted on having a last word after the Court had stated that no further exception to the ruling was in order. At any rate, Turner declared Field to be in contempt of court, fined him \$500, and ordered him confined for forty-eight hours.¹³ Field was

removed from the court room, and Captain Sutter was obliged to secure the services of John V. Berry to continue the suit, which a jury decided against him the same day.

Field was taken from the courtroom by the Deputy Sheriff, Henry C. Wright, but was turned over to Dr. Brewster, the coroner, who was satisfied with Field's promise to remain within his law office. Late that same afternoon, Judge Turner, upon learning that Field was not forcibly confined, ordered the Deputy Sheriff to turn the key in the lock of the office. To this action Field objected because the deputy had no written process, and he immediately sent to the County Court an application for a writ of habeas corpus, which writ was promptly granted. That evening he was taken to the residence of Judge Haun, who had not yet opened his first formal session in the Masonic Hall at Third and "E" streets, which building served as the first county court house.

Naturally, there was unanimous interest in this novel case. A large crowd gathered in and outside Haun's hotel to learn the outcome of the petition. The county judge proceeded at once to review the action of the District Court and the sheriff and declared that in absence of necessary formal process Field could not be confined. The only witness necessary to establish the absence of a process was the deputy sheriff; however, two attorneys, S. B. Mulford, the County Attorney, and Jessie O. Goodwin, who had been present at the conflict between Field and Turner, were examined, and both declared that the action of the District Judge was outrageous. Field was discharged from custody.

As the crowd was leaving, a certain sympathetic portion cheered for Field and Haun. Field responded to this show of loyalty with an invitation for all to adjourn to the Covillaud House, where he bought them drinks. Here again it is impossible to find an impartial account of what happened during the evening. Each side accused the other of unbecoming words and conduct. Turner, who had joined the crowd or was a near bystander, is accused of swearing at Haun and threatening all of the concerned parties with consequences which ought to have been discussed only in court. But Turner declared that the mob, as he styled the gathering, was inflamed by Field and others and prejudiced against the District Court.¹⁴

The series of incidents described above occurred on Friday. The next day the District Court did not meet on account of the illness of the judge. But the following Monday, June 10, Turner caused this order to be entered in the minutes of the Court: "Whereas Judge Haun having in defiance of the authority of this Court, and in violation of the law, obstructed and prevented the execution of an order of the Court to imprison Mr. Field for a contempt offered to the Court while in session, by releasing the said Field from the custody of the sheriff, the said Haun is hereby sentenced to forty-eight hours imprisonment and to pay a fine of fifty dollars." Another order provided: "The Sheriff will enforce the order of the Court to imprison Mr. Field for forty-eight hours." And finally the "irate" Judge decreed that: "Whereas

Messrs. Field, Goodwin and Mulford having set at defiance the authority of this Court, and having vilified the Court and denounced its proceedings, the said Field, Goodwin, and Mulford are hereby by order of the Court expelled from the Bar of the same.”¹⁵

Evidently the Court did not care to leave the execution of its orders to deputies a second time. Sheriff Buchanan personally was commissioned to put into effect the orders to imprison Field and Haun. The Sheriff knew very well where to find his two prisoners. In his capacity as Sheriff of Yuba County, he had at ten o'clock on the morning of June 10 opened the first session of the Court of Sessions of Yuba County by declaring, “Present Hon. H. P. Haun, County Judge, and F. W. Barnard, Associate Justice. . . .” From the Sessions the Sheriff had gone on to the District Court just in time to be given Judge Turner’s orders.

The first business to come before the County Court of Sessions was an application for a writ of habeas corpus from Stephen J. Field. Apparently Field was anticipating Turner’s action, because, before Buchanan could have arrested him, he was before Haun’s court pleading for his release. And Haun also anticipated Field’s arrest as the minutes show: “On the reading of the application of the applicant duly authenticated by his oath, it is ordered that the prayer of the petitioner be granted, and that R. B. Buchanan, Sheriff of Yuba County, or any person acting under him, and having the said Field in custody bring the said Field into Court forthwith to be dealt with according to law.” It is possible that Field had been rearrested Monday morning and that the order above was directed at his jailers, but the two courts were acting nearly simultaneously.

The next scene in the Court of Sessions when Buchanan came to arrest Haun and Field is best described by quoting from the minutes of that court:

In the pursuance of the above order, the said Field came into court and proceeded to address the Court on the matter touching the cause of his confinement and while making his remarks, and previous to the close thereto, and while the Court was in session, R. B. Buchanan Sheriff of Yuba County at the head of fifty men entered the said court and stated that he came there for the purpose and with the intent to seize H. P. Haun, County Judge as aforesaid, and place him in close confinement, under and by virtue of a certain order of decree made by one William R. Turner, Judge of the 8th Judicial District of the State of California.

The court informed the said Sheriff Buchanan that it was holding its regular term and that order must be preserved while it was in session. The said Sheriff Buchanan then left the court whereupon the business before the court was again resumed.

At the expiration of some five minutes, the said R. B. Buchanan, as aforesaid, reentered the court and stated that the said H. P. Haun, County Judge as aforesaid, must leave the court and go with him as he was peremptorily ordered by William R. Turner, the Judge as aforesaid, to arrest the said H. P. Haun and keep him in close confinement for the space of forty-eight hours.

R. B. Buchanan was here notified that he was violating the laws of the land and that he would be fined if he persisted in disturbing the session of the Court. The reply of said

Buchanan was "that he could not be trifled with" and immediately seized the said H. P. Haun, County Judge as aforesaid, by the arm and attempted to drag him from the room where the Court was in session. Whereupon a fine of two hundred dollars was then and there imposed upon the said R. B. Buchanan for contempt of Court.

The said R. B. Buchanan then and there called upon the fifty persons ordered out by him as his posse to take hold of the said H. P. Haun and take him from the court. But the persons in attendance, conceiving the order to arrest the Hon. H. P. Haun to be illegal and unjustifiable, refused to assist the Sheriff in the execution of his illegal order. The Sheriff then retired and the Court was then adjourned to 3 o'clock P. M.¹⁶

Field was taken by the Sheriff and locked up, and the matter was not taken up again in the Court of Sessions. Haun was not as defiant of the District Court as the quotation above might indicate. He paid his fine under protest, and according to the minutes of the District Court that afternoon, "A communication was received from H. P. Haun stating 'That if he was guilty of obstructing the order of the Court in releasing Field, he did it ignorantly not intending any contempt by so doing.'

"Whereupon the Court ordered that H. P. Haun be released from confinement and his fine be remitted."¹⁷ As far as can be determined Field served out his forty-eight hours' imprisonment. During the remaining months of 1850 (June to December), there raged in the newspapers of Sacramento and Marysville a very unbecoming and undignified battle of slanderous and abusive letters from and about both sides of the dispute between Field and Turner. Neither side was without its followers who composed statements of purported fact and obvious partisan propaganda designed to place one side in a favorable and the other in an unfavorable light. But these letters, many of which are now to be found as public documents, are of little value other than as evidence of the temper and impulses of the partisans of the day. The fact that these letters are now to be found in the collection of exhibits presented to the State assembly during a subsequent impeachment consideration no doubt has tempted some students to draw too freely from them many details which are contradicted by similar documents.

During the first part of July, Field, representing himself as well as Goodwin and Mulford, appeared before the State Supreme Court and asked for a writ of mandamus ordering Turner to vacate the order which had expelled the three attorneys from the bar of the District Court. This writ was granted on the grounds that the expulsion had been ordered as punishment for acts committed outside the court and that no notice or hearing had been given.¹⁸ At the same time, Field asked for a writ which would vacate the order which had imprisoned and fined him. He argued that the order did not set forth any facts. Though this last writ of mandamus was refused, a writ of certiorari was issued requiring the District Court to certify its records to the Supreme Court. And while this last writ was pending until the next term, the execution of the order (only the \$500 fine remained unsettled) was stayed; but Field was

placed under a bond of \$1000 to assure his abiding by the decision whenever the Supreme Court should make one.¹⁹

After his summer vacation, Turner opened court the first of October at Nicolaus, Sutter County. An order of October 11 recognized the action of the Supreme Court in vacating his order of June 10, but went on ". . . this Court feels authorized to expell again from the Bar . . . the said Stephen J. Field, J. O. Goodwin, and S. B. Mulford for having caused to be published over their names in the Sacramento Placer Times of the 27th of July last a vile and slanderous communication against the Judge of the said District Court. . . ." ²⁰ The attorneys were ordered to appear before Turner on October 28 and show cause why they should not be expelled. Their answers were rejected "because of the language disrespectful to the Court contained therein. . . ." So the judge decreed that the order of the 11th "be now confirmed and take effect from this date." Field, Goodwin and Mulford gave notice of intention to appeal from the decision.²¹

In December, the expelled attorneys again appeared before the Supreme Court asking this time for an order of attachment against Turner charging him with contempt in failing to obey the writ of July. But the records of the session at Nicolaus showed that the order to vacate had been recognized by the District Court. This application was refused.²² They then asked for a second writ to vacate the order of expulsion made in Sutter County. But this last order was found to be regular. As a compromise an alternative writ of mandamus to vacate the expulsion was given on the grounds that inasmuch as the three attorneys had been licensed previously to practice in the Supreme Court they were thereby licensed to practice in all inferior courts of the State.²³

An added victory for Field was the reversal of the original order of Turner fining and imprisoning the former. The return of the writ of certiorari showed that the order was irregular, and it was accordingly vacated. Thus ended this contest in the local courts although the personal rancor continued to brew until it was carried to a yet higher court, the State assembly.

THE END OF PROPRIETORSHIP

The proprietorship, which was held by the four promoting partners at the time of founding the town, was dissolved during the year of 1850. The manner of liquidation was both simple and interesting. But even while this liquidation was in process, the ownership was further complicated by the entrance of two more partners and the displacement of one of the original four. One of these new partners, R. B. Buchanan, has already been introduced; the other must now also be introduced.

Gabriel N. Swezy is an example of the popular, self-made, successful, professional man in America. He was born July 28, 1821, at Mt. Hope, Orange County, New York. Being a member of a family of meager circumstances, he received little assistance besides an elementary school education. At fifteen

years of age he had left home and was self-supporting. At the age of eighteen he was teaching a small school and studying law. He was later admitted to the bar of New York State and practiced in his home county at Middleton. He left this place on January 12, 1849, bound for California, and after a seven months' trip around the Horn, he arrived at San Francisco August 12. The American River diggings was his first destination. For six months he mined in what is now Eldorado County, during which time he accumulated a sufficient quantity of gold dust to enable him to buy into the proprietorship of Marysville, to which place he had gone in January, 1850. Swezy became one of the county's pioneer lawyers; he began practicing during the period of the *ayuntamiento* and continued until his death in 1875. He was especially active in party politics, holding several local offices, and was sent to the State assembly as representative from Yuba County.²⁴

On February 19, 1850, Theodore Sicard sold to R. B. Buchanan and G. N. Swezy his entire interest in the townsite and grant for \$12,500, just what he had paid Covillaud for it five months earlier. Sicard's net profit was his one-fourth of all cash received for lots sold in the meantime. The deed to Buchanan and Swezy transferred fifty-two designated lots which Covillaud, Sampson, and Ramirez had deeded to Sicard on February 13.²⁵ In addition, it conveyed a one-fourth interest in that part of the townsite which had not been alienated and a one-fourth interest in the Cordua grant.²⁶ The new company consisted of Covillaud, Sampson, and Ramirez, each holding a one-fourth interest, and Buchanan and Swezy, each holding a one-eighth interest.

This new firm continued the liquidation of the partnership assets. March 19, Covillaud, Buchanan, and Swezy deeded a large bloc of lots to Ramirez and Sampson. (These two last named partners continued their joint ownership.)²⁷ July 1, Swezy, Buchanan, Sampson, and Ramirez transferred a large number of lots to Covillaud.²⁸ And so the dissolution of the joint ownership of the townsite can be traced in the deed books, although the large acreage of the Cordua grant was not finally distributed until several years later.

LOW WATER IN THE FEATHER

Marysville, as were her several rivals, was dependent upon the navigability of the Feather River for many years, and especially so during the first year of her existence. It is of particular interest, therefore, to note a very narrow escape from extinction which the new town had in the summer of 1850. If the Yuba River alone had failed to keep a navigable amount of water, property values in Marysville would have been disturbed, but the business houses could easily have been moved ten or fifteen blocks and new landings could have been established on the Feather River opposite Yuba City. But during the month of July, water levels in both rivers fell alarmingly. By the end of that month it was predicted that river travel would soon cease because the level at the mouth of the Feather was falling six inches daily.²⁹

During the few weeks of slow but certain decline of the water in the rivers, reports from Marysville were optimistic and stubborn, and reports from Nicolaus and Vernon were enthusiastic but pessimistic regarding future river transportation any farther north. On July 26, a letter from Vernon declared that while one or two small boats could still reach Marysville, the *Governor Dana*, the *Lawrence*, and the *Linda* would go no farther up the river than Nicolaus, and after two or three weeks only as far as Vernon.³⁰ August 1, it was reported that the water was nearly too low for boats to reach Nicolaus; however, it was admitted that some boats were still going there. August 3, it was admitted that the *Lawrence* and the *Jack Hays* had continued to push through to Marysville, though the *Lawrence* had stuck on a bar at the mouth of the Yuba.³¹ On the 5th, a Nicolaus enthusiast wrote that all boats had ceased to go to Marysville, and that some boats had been damaged seriously by snags. But not until the 7th was it officially announced that, while the *Lawrence* could push through to the Yuba, the hazards were too great, and that regular runs would be discontinued. The *Jack Hays* still continued to run.³² By the middle of August, all steam traffic to Marysville (excepting one small steamer, the *Yuba*) had been discontinued.³³

Several factors operated to prevent the final disintegration of Marysville as a supply market. The very low water which cut off this town also cut off Yuba City and Eliza, and within a short time Nicolaus was above navigation. Vernon was too far south for individual purchasers from the mines. And those retailers who had come to Marysville as a wholesale market rather than go to Vernon chose to go all the way to Sacramento. A steady course of wagon travel sprang up between that city and the foothill settlements. The logical route was by way of Johnson's Rancho and along the hills, rather than along the banks of the Sacramento and Feather rivers; hence traffic left Vernon far to the west. Another factor of much importance was sailing vessels. These were always of very shallow draft and could navigate in much less water than the steamers. Even when the steamers were running, these slower, small sail-oar craft carried an appreciable bulk of freight for the northern towns. So when the steamers ceased to run, sailing vessels naturally were depended upon more than ever. On August 27, twenty-four of them were counted at Marysville.³⁴

The last of August an innovation in steamers served to comfort the residents of the stranded town even if the former communication was not wholly restored. The steamer *Yuba*, a light vessel drawing only twelve inches of water, was put on the run between Sacramento and Marysville. She was placed under the command of Captain William R. Olden, a veteran navigator from the Mississippi River, whose experience fitted him to contend with the low water. But the snags in the channels prevented this heroic little boat from making the regular trips which had been promised.³⁵

Perhaps the most effective expedient against isolation was the prompt introduction of wagon travel from Marysville to Nicolaus and Vernon to meet the

steamers which came to these points. The Empire Stage Line, owned by C. W. Durkee and C. G. Sharp, provided a horse-drawn wagon for passengers which met the *Lawrence* down the river each afternoon; and Van Brunt and Johnson did the same for the *Governor Dana*. The steamer agents in Sacramento were thus able to assure prospective passengers that they would be set down in Marysville without delay and in time for supper. These stage companies also provided freight wagons to keep merchandise moving northward. With these arrangements both freight and passenger traffic was kept moving through to Marysville, thus enabling the town to weather the three months of isolation without disaster.³⁶

On Tuesday, November 19, there began the first rain of any consequence that fall. After three days of downpour, the editor of the local paper was inspired to write an editorial about the weather. Here is one example of such an editorial being more than idle platitudes. His essay was full of vital discussion. He gloated on the general benefit of rain. Steamboats would come again, he prophesied, and sapiently remarked that "there was a propelling force for any town from steam." Miners would hasten to lay in supplies before the foothills became too muddy for travel. He recalled that Nevada City and Rough and Ready with populations totalling 20,000 had been supplied from Sacramento by teams. But he joyfully reminded his readers that the road across the soft plain north of Sacramento would soon become impassable from such rains as they were then having. The road from Marysville to Nevada, however, was passable throughout the season. The conclusion was obvious, but he could not resist telling it over. Marysville would again become the supply station for the Yuba and Feather mines. But he admonished the merchants to keep on the "qui vive" and have the necessary stocks on hand when the rush might begin.³⁷

The evening of that same day upon which the editorial referred to above was issued, the citizens of Marysville heard a familiar whistle pierce the air. A boat was coming up the Feather. By the time the *Governor Dana* found her way into the Yuba and to the landing, a reception committee of 500 persons had assembled on the bank to welcome the first steamer to break the nearly three months of isolation. The "sensation was joyous and hilarious."³⁸ Two days later the *Jack Hays* arrived and regular river travel was resumed.

THE MARYSVILLE HERALD

Any California town during the gold rush which could make even the appearance of urbanization was certain to be chosen by some aspiring and venture-some newspaperman as a place to publish a journal. Marysville was fortunate to be selected by an extremely interesting and versatile individual. Robert H. Taylor was born August 17, 1822, in New York City. His father was a lawyer and a prominent politician of the Henry Clay Whig school, having served as mayor of the city. Young Taylor read law in his father's office and was

admitted to the bar of his native State. He married into one of the aristocratic families of the city and had settled somewhat to a life of routine legal practice, when his young wife died leaving him a small son. In January, 1849, he joined a company which chartered the barque *Peytona* and sailed for California, arriving at San Francisco on August 7 after a trip of seven months around the Horn.³⁹

Taylor attempted to conduct a kind of commission and brokerage business in San Francisco but was not successful. After a voyage to Honolulu looking for some business opportunity, he came to Marysville in the spring of 1850. In May of that year, William W. Leland had announced his intention to establish a paper to be called the *Marysville Herald*, the first issue of which was promised for the first of June.⁴⁰ For some unknown reason, Leland's plan did not mature. Taylor either secured the plan and name from Leland or appropriated them, after the latter had abandoned them, because in June, Taylor promised that the *Herald* would soon begin. He had difficulty assembling the necessary equipment, and not until July 13 did his "printing establishment" arrive by boat from San Francisco. The first issue of the *Herald* was dated August 6.⁴¹

No other individual influenced the town as much as Taylor did during his residence of three years. He is omnipresent in all records of events and appears as leader and instigator of many. While he began his paper as independent politically, not many months passed before he was fighting openly on the side of the Whigs. He seized on the Field-Turner affair as readily as if it had been an impersonal political issue. He soon became a partisan on the side of Field, and was classed with the other recalcitrants by Turner. He began agitation for a city government very shortly after the *Herald's* first issue, and after the first city administration was in office, he became its critic. He was one of the first to criticize the "law and order" faction and led the movement for a committee of vigilance in 1851. During the dry summer of 1850, he began a movement which the next year led to an attempt to clear the river of snags; and far ahead of all others he began agitation and speculation which was to result later on in the building of the first railroad to reach the town. And a dozen other of his interests might be listed, all of which contributed to the rapid upbuilding of Marysville.

As has been indicated, Taylor grew up in a sophisticated environment. In addition to his legal training he had received a polish from his schooling and social experiences which alone would have made him a distinguished citizen in any new settlement. He was talented: he had a good voice and sang well; he was accomplished as an actor and elocutionist; and his poetry and prose were of a quality which surpassed that of the ordinary small newspaper. It was natural then that he should have been instrumental in bringing to the town talented people and performers and that he should have taken the lead in organizing social functions to elevate the recreation of the settlers.

It was also natural that when the paper became too great a responsibility for one man, as it did within a few months, he should select as partner a young man who held in common with him many interests. In selecting his partner, Taylor caused to become a resident of Marysville one of the most distinguished and talented men whom the city can claim. This coeditor of the *Herald*, Stephen C. Massett, was born in London, England, in the early twenties, of a middle class family, and while he received a liberal schooling, he was obliged at a very early age to become self-supporting. In 1837 he and his brother Jack came to New York as immigrants. For the next twelve years this young Englishman drifted about the Atlantic States, enjoying the freedom of movement and opportunity of the New World. His first position was that of apprentice in a lawyer's office in Buffalo. But rather than learn law, which bored him, he memorized passages from Shakespeare. From the law office he went to work as accountant, in which occupation he was valued for his beautiful penmanship and tolerated in spite of his poor mathematics. In 1839, he was in New York earning his living by his penmanship and spending his leisure around theatres and music shops, where he became acquainted with many actors and musicians. He developed a fair baritone voice and attracted the attention of several showmen, one of whom took him to Charleston, South Carolina, to serve as apprentice. There he was given an opportunity to appear before audiences in minor rôles and to sing between acts. Soon he was back in New York working as a professional actor at the Olympic Theatre.

In the meantime Massett had composed a ballad called, "When the Moon on the Lake Is Beaming." He sold it to a publisher for five dollars and saw the song become one of the best sellers of the time. His next venture was with a travelling lecturer as vocalist and impersonator. For the first time he had more money than he needed for expenses, which enabled him to tour the Mediterranean during the summer of 1843. A friend who was the editor of *The Spirit of The Times* encouraged him to send back a series of descriptive letters for publication. This editor had dubbed Massett with the name Pipes; so the latter signed his contributions, "Jeems Pipes," a name later to become prominent in California journalism.

He worked the winter of '43 and '44 in a theatre in Boston, but came again to New York. A friend had secured a political position in the city government, and Massett was given a sinecure in an office as recorder, which he held until 1849. During these years he augmented his salary by singing "basso" in a church choir, receiving two hundred dollars a year for his services.

California was too tempting for the restless Englishman, so on January 13, 1849, he sailed from Baltimore and landed in San Francisco the first part of May, after a trip by way of Chagres, Panama, and Acapulco. His first occupation in California was as assistant to Colonel J. D. Stevenson, at the time engaged in selling lots in his paper town, New York of the Pacific. In order to facilitate rapid conveyance of title to the lots. Stevenson had Massett ap-

pointed notary public and commissioner of deeds, and for dignity the latter was named alcalde of the new town. While he was serving in the positions named above, but residing in San Francisco, Massett gave the first public concert to be offered in the city. He was soon tempted away from his responsibilities to undertake a new task in Sacramento.

Samuel Brannan, who had a surplus of merchandise in Sacramento, offered Massett the contract to sell the stores at auction. Massett accepted the offer and moved to Sacramento, only to find that another auctioneer had underbid him and had the job. He met Charles O. Brewster, who owned a stock of merchandise, and the two formed the firm of Massett and Brewster, auction and commission merchants. These partners innovated night auctions, which became very popular and profitable. As an inducement to the crowd to gather and remain, each evening's selling was terminated with a bit of entertainment by Massett.

While in Sacramento, Massett contributed poems to the local papers. On August 25 appeared "Lament of the Irish Gold Hunter." Others followed. A new song he had composed, "Love's Remembrance," appeared in printed form in November, and in January, 1850, the firm of Massett and Brewster was dissolved, though the former continued for a time as an auctioneer. In April he gave his first concert in Sacramento. He was assisted by Jona Nichols, a pianist. Then having enough money to last him for a while, he took a trip to the Sandwich Islands. About this time, there began to appear in the Sacramento and San Francisco papers letters signed "Jeems Pipes of Pipesville." These letters anticipated the style of several later famous humorists such as Mr. Dooley, Bill Nye, Will Rogers, etc. They consisted of pertinent comments and thrusts made palatable and tolerable by a rather strangely inconsistent distortion of spelling and language. One of these letters which concerns Marysville will be quoted later.⁴²

After a few pleasant weeks in the Sandwich Islands, Massett returned to Sacramento where he met Colonel Taylor, who proposed to sell him a half-interest in the *Marysville Herald*. "Upon mature deliberation and reflection of about an hour and a half" he bought in as junior partner and editor. December 1, 1850, Massett and his baggage were landed on the levee at Marysville. His arrival is best told in his own words:

The Gov. Dana steamer conveyed myself and two trunks in safety to the landing at the Levee; and when I had managed, after wading up to my middle in mud and slush, to find out the office of the Herald, situated then on a barren waste, known on the map as the corner of C and Second street, I resembled more the driver of a swill cart, or a street-sweeping machine, than one of the corps editorial. Upon knocking at the door and lifting the latch, I found my "senior," wrapped in a red blanket, fast asleep, lying upon a cot, that boasted of no other ornament than that it went on "tick," and repudiated altogether pillows and mattresses. The attenuated form of the gallant Colonel lay stretched out in all the blissful ignorance of sleep, and with mouth wide open—regardless of the hammering of the foreman in an adjoining apartment, who was "putting the paper to press"—

gave utterance to his thoughts and pent-up feelings in a snore that would have startled one less nervous than myself.

The office was a little wooden shanty, of a very unpretending style of architecture, and difficult indeed to describe. It had a door, a roof, and one or two windows, and was, I believe, originally one of a number of "portable houses" sent "round the Horn" by some enterprising man at the east, and by which speculation an immense amount was realized. I think ours cost about \$600—(worth at home about \$150.)

After waking my "sleeping partner," and meeting with a kindly greeting, I proceeded as quickly as possible to get into the "harness" of my daily business; and after some three or four days' initiation by my senior, who had to go to San Jose to report the proceedings of the Legislature, I was left in sole charge of the "sheet."⁴³

The influence of these two kindred personalities, Taylor and Massett, on the town (especially on its recreation and refinement), was reflected in the articles appearing in their paper. While other small papers were reprinting poems by well-known poets or obscure professionals, the *Herald* contained in nearly every issue a contribution by some person within the State. Taylor and Massett themselves contributed not a few, and at intervals came one from Yellow Bird (John R. Ridge), Maria (Maria Buchanan), Shirley (Louise Amelia Knapp Smith Clappe), and others less known today but whose contributions attained a degree of excellence. The *Herald* did not really develop a great deal during its first five months; consequently, any further description of its character and functions belongs to the year 1851.

SQUATTERS

The preemption laws of the United States (and anticipated laws) regulating the occupation of the public domain caused an uneasiness on the part of the proprietors of the townsite and grant and tempted the propertyless to make alarming gestures of occupation in and around Marysville, as was the case in most California settlements. These actions on the part of the land-hungry, who were referred to as "squatters," whether or not they actually occupied any land, were threatening, but not so undignified as the actions of similar groups in other communities. But that certain individuals had settled on land claimed by the proprietors is evidenced by the following notice, dated August 6, 1850, and printed in the first issue of the *Herald*:

The undersigned hereby warn and notify all persons from squatting and locating upon any of the lands lying between Honcut creek, the foot of the Sierra Nevada, the Yuba and Feather rivers, as also on that piece of land on the south side of Yuba River opposite Marysville between the Mineral boundary and the suburban land adjoining the town of Eliza, and would further notify all persons who have previous to this date squatted or located on any of said lands, to remove from the same without further notice, or legal proceedings will be instituted against them forthwith.

And the undersigned further notify all persons that to the said lands they have a good and valid title in law and equity.⁴⁴

The notice was signed by the five proprietors, Covillaud, Ramirez, Sampson, Buchanan, and Swezy.

Following the notice quoted above, there appeared other notices "tacked up in various parts of the town" calling a meeting, to be held August 10, for the purpose of taking some "concerted action" to "guard against the monopoly of the Landed Aristocracy whose pretended claims" covered the whole country. The meeting was held, and it was a respectable gathering, the chief action being the formation of a permanent organization. The gathering was addressed by two of the town's leading attorneys, who, however, merely advised those present regarding the situation. J. T. McCarty decidedly championed the cause of the squatter; he emphasized the desirability of immediate agricultural industries and implied that the proprietors were obliged to show a valid title if the settlers were to be restrained. J. O. Goodwin had more conservative advice; he warned that they were "incurring some risk" but he agreed with McCarty that if the proprietors could not show a valid title, the squatters could not be interfered with. The meeting was adjourned after passing a very significant resolution. The "bloody strife" which had characterized a similar movement in Sacramento was lamented; it was resolved that it was wrong to settle upon city property because the practice conflicted with the rights of third persons who had purchased for valuable considerations; and it was further resolved that Marysville should not become "the scene of human slaughter for the sake of a few town lots."⁴⁵

At a second meeting, August 17, a statement of program and policy was adopted and made public. The right of Sutter, Cordua, and many others to land east of the Feather was protested, if such right was to be based only on the fact that these claimants had used the land on which to herd cattle. It was declared to be the right of any person to obtain a home of not more than one hundred and sixty acres on the east side of the Feather. Interference with purchasers of town lots was disapproved. Congress was to be petitioned. The proprietors were to be solicited to publish their title or to submit it for legal inspection. The meeting announced that the future policy would be to maintain possession of lands, peaceably if possible, but forcibly if necessary, until ejection by due course of law. The State law which provided for "forcible entry and detainer" was declared unjust; and no one was to be supported for the next legislature who did not favor a more liberal law. And finally, any action on the validity of titles by local courts until after federal action had been taken was denounced.⁴⁶

These actions and policies explain why Marysville, at least in 1850, was spared the unfortunate conflicts between lot owner and squatter which prevailed in several of the older California towns. Indeed it can be stated that the organized settlers appeared to be cultivating all possible good-will from the urban dwellers in anticipation of their more important fight over possession of portions of the grant.

FIRST STATE ELECTION

The first election for State officers held in Yuba County, October 7, 1850, was supposed to be decided without party preliminaries. But the Field-Turner imbroglio caused the contest to take on much of the character of a bitter partisan fight. It was understood that Field intended to seek revenge on Turner by working for impeachment in the assembly, provided he could persuade the people of Yuba County to send him as their representative. It has often been assumed that Field had a large majority of public opinion and the bar of the county behind him in his fight with Turner; but such was not the case, as is proved by the results of this election. There was at least one prominent attorney of the bar who dared to oppose him and to join forces with Turner.

John T. McCarty was born in Brooksville, Indiana, in 1829. He came to California in '49 at the age of twenty, and had just reached his majority when he became a candidate for assemblyman from Yuba County. This young and brilliant lawyer is somewhat of an enigma in the history of the Marysville community. In the first place, it is amazing that he, at his relatively immature age, should have occupied the position he did, in the midst of a score of men of his profession ten to twenty years his senior and with as much experience in politics. Furthermore, it is remarkable that he should have taken as prominent and active a part in local politics and legal affairs as he did, as he was afflicted with epilepsy, which disease caused his premature death in 1860. But during his ten years' residence in Marysville, the records show that he was not only active but seriously concerned in all public affairs, and that his prominence in them was so recognized.⁴⁷

McCarty had appeared as a witness for Field when the latter had petitioned for release in the County Court and had declared that the conduct of Judge Turner was the "most outrageous" he had ever witnessed in any court in which he had practiced. But later he wrote Turner a letter in which he declared that he had never practiced in a better-ordered court; and he assured the judge that a large majority of the people sustained him notwithstanding the base denunciations of his enemies. Field seized upon this inconsistency and declared that McCarty was either "in the one case . . . a liar" or "in the other, a perjured scoundrel." McCarty also in his campaign speeches spared no opportunity to abuse Field and condemn his platform.⁴⁸

The results of the election are interesting and difficult to comprehend. The *Herald* supported Field wholeheartedly. We should have expected him to carry Marysville if his services and martyrdom in the court oppression had made him popular. And possibly he expected that Marysville would be carried easily because he spent a good part of the month of September up the river campaigning among the miners. T. Ware Wilson, who had been urged and nominated by a gathering at Foster's Bar, withdrew in favor of Field. When the results of the balloting were known it was very fortunate that Field had spent this energy as he did. In town, McCarty received 363 votes and

Field received 255. But when the complete returns were counted Field had 2068 votes and McCarty, 1771.⁴⁹ J. O. Goodwin, Field's running-mate, defeated Philip W. Keyser for district attorney; but this contest did not assume the bitterness of the Field-Turner affair. Turner was embarrassed, however, to have an attorney whom he had expelled from his court appear again commissioned by the voters of the district to serve as their attorney in criminal cases. But the judge was ingenious and "saved his face" by issuing the following court order:

Although J. O. Goodwin is not recognized by this Court as a member of the Bar of the District Court of the 8th Judicial District, yet the Court feels authorized to permit him, the said J. O. Goodwin, to attend to all causes or other business which may require his attention as District Attorney; But the said J. O. Goodwin is precluded from appearing before the Court in any other cause or causes than such as require his attention as District Attorney.⁵⁰

RECREATION

Amusements in Marysville during the year of 1850 were largely improvised by local talent. Of course there was an occasional traveling entertainer such as a certain young violinist, Simonsen, assisted by a pianist named Pettinos, who gave a public concert in June, and a Mr. H. Rossitter, who presented a program (unassisted), of "legerdemain tricks and slack wire dancing" in the ball-room of the St. Charles Hotel.⁵¹ And the saloons usually provided some type of music. In August the editor of the *Herald* felt inspired to praise "that orchestra" and "those praiseworthy gentlemen whose sweetly attuned instruments nightly 'discourse most eloquent music' at the El Dorado Saloon. . . ."⁵² The Florence Saloon also attempted to encourage local musical talent to entertain its patrons. The quality is questionable, however, judging by the following comment:

MUSICAL—Do our citizens "sabe" what a treat there is, in the musical way, almost nightly in our neighborhood?—If they do not let them look in at the Florence Saloon, almost any night, almost at any hour, from 9 till long past midnight, and if they do not at once acknowledge that there is a vast deal of musical talent "resident in this burgh," why they may incontinently "relieve us of our sombrero." And then the dancing is certainly remarkable. (Remarkable for its "break down" qualities, and its knock-everything-into-a-cocked-hat-activeness.) We think a single visit will suffice to convince a citizen that this is a great country, and that this particular spot is a great part of the country; and we believe he will go away thanking God that he does not live near the Florence Saloon,—if such be the fact.⁵³

In November the Magnolia Saloon secured a "fine piano" and provided a performer as well as vocal music. But this same month many of the saloons dismissed their musicians, having abolished the service. "A fine German band" of these dismissed performers was assembled to provide music for a banquet held at the United States Hotel. The El Dorado continued to amuse its patrons with varied entertainment. The editor, in December, though lamenting the absence of "Kitty," a sweet lady who had presided over the monte

table, spoke enthusiastically of "one Kelly," a good ballad singer, an excellent imitator, and an accomplished violinist, who was "greeted nightly with the plaudits of a large audience."⁵⁴ But there was very little offered in strictly professional commercial entertainment, very probably because there was no show house.

Other means of entertainment and recreation were the balls (or cotillions as they were called) which could be held in the dining-rooms (called ball-rooms for the occasion) of the three or four large hotels. These were given by both private individuals and the managements of the houses. In September, Captain E. Powers entertained by invitation certain friends at a cotillion at the Foster House. A ball was held at the St. Charles on December 9. The room was decorated with "evergreens woven into most elegant devices," and a supper "which the gods might have envied" was served. Owing to a death in an estimable family (that of Geo. V. and Nancy Hight), not as many ladies were present as were expected. But the dance and supper were enjoyed. On December 27, St. John's Day, the Masonic fraternity held a ball at the United States Hotel at which appeared "the beauty and grace of the 'gentler sex.'" Tickets were on sale at the hotel bar for \$8.00.⁵⁵

Meetings of any kind provided recreation; and for this reason all meetings were well attended. The County campaign of March and April, the squatters movement in the summer, the State campaign in September and October, immigrant relief in November, and city government agitation in December—all of these in turn gave cause for gatherings and speeches. August 30 news of the death of President Taylor was received, and preparations were made for a "grand celebration" to be held September 7. Dr. S. M. Miles was chief marshal; he organized a grand procession, which was made up of members of the Masonic and Odd Fellows orders, groups of citizens, foreigners, and strangers, all to be led by a brass band brought from Sacramento. These units assembled in front of the Covillaud House on the Plaza, moved "up Front street to C, up C to Second, down Second to F, down F to first, up First, then to the Large Oaks on the Southeast corner of the Plaza" where an address was delivered by Hon. W. S. Sherwood. Ladies were assured that seats would be provided for their use.⁵⁶ Admission of the State to the Union was celebrated by several meetings and banquets, though no general preparations were made.

Court procedure was another source of occupation for the idle. There is indication that few cases were too uninteresting to attract an audience usually limited only by the size of the court room. Arrivals of the boats and stages were also of much interest, as were the arrivals and departures of pack trains from and to the mines. The evenings, when no arranged recreation was available, were the tedious part of the life of those residents who were occupied during the day. A general statement written in November, 1850, gives the following description, which no doubt was typical and universal:

In the absence of Theatres, Concerts, and the like, the amusements resorted to in

this "ville" are rather bizarre, and on the whole, decidedly erratic. In the main those whose avocations occupy their time during the day, resort in the evening to the different saloons, which form a sort of Exchange, where friend can meet friend, and talk with him of trade, and the topics of the hour; partially listening meanwhile to the strains of delightful music flowing from the dulcet instruments of the various orchestras, and in one saloon, to the vocalism of a very clever artist. Meanwhile the gregarious habits of our species will have brought together knots of congenial spirits, who go from one saloon to another, generally imbibing at each bar, looking at the various games of monte and faro going on, and at about half past eleven, several such squads can be seen, who are quite mellow and exceedingly social. Midnight generally closes the scene, which the next evening is renewed, sometimes with slight variations, such as proceeding to the Gem for a broiled bird or taking a moonlight ramble. This latter amusement, however, is now nearly at an end, owing to the approaching reign of the Storm God.⁵⁷

ACCOMMODATIONS

By the end of 1850 there had been a radical change in hotel accommodations, but still there were complaints. There were few private rooms; most rooms were furnished to receive two and three persons and some even more. The beds were poor and scantily furnished. All hotels ran dining-rooms for their patrons, but the tables were so crowded that elbow-room was inadequate. There were seven hotels of about equal quality, and several others too obscure to be listed. These hostelries had been established on Second, Third, and "D" streets, leaving the Plaza for the larger general stores.

The United States Hotel, operated by John Parks and John G. Smith, was perhaps the most popular. It was located on "D" near the El Dorado saloon, and it was used as a stage terminal and political rendezvous. The St. Charles was next in order and was operated by three congenial hosts, L. Mitchell, of St. Louis; J. B. Mitchell, of Montgomery, Alabama; and G. W. Ten Broeck, of New York. The three main sections of the "States" were represented in this partnership. Many hosts announced their origin, feeling that patrons would be attracted to the house of a compatriot. The Southern and Western, owned by A. Maurice, of Missouri, was next, while of about the same quality were the Tremont House owned by Thomas Renardson and James Cushing, and the Eagle Hotel, by T. J. Harris, H. Z. Hawkins, and G. W. Hopkins. Other smaller hotels were the Yuba House, run by J. D. Harris, the St. Louis, by E. S. Peck, the National House, by Arnold and Scott, and the Covillaud Hotel by James M. Jefts.

There were four restaurants which made some particular claim and appeal to the trade not allied with one of the hotels. These were largely patronized by workers who found lodging in the places where they worked or in a residence tent. Also these restaurants catered to the idle in the evenings. Quail and ducks were the favorite evening refreshment, the delta country being well stocked with these birds. The Arbor, operated by Griffin and King, specialized on oyster stew and ice cream. The Gem offered as a specialty broiled birds; and Charley's Restaurant, with Charles Stokes and Thomas West as pro-

prietors, was the rendezvous of those unattached who ate regularly at a restaurant. Señorita Juana Ribero, in her card in the first issue of the *Herald*, begged "to inform the hombres of the 'Queen City' that she had taken and fitted up" the New Retreat. The Señorita had six semi-private dining compartments and, inasmuch as she appealed only to the "hombres," it probably was not necessary for one of these masculine patrons to be accompanied by a lady.

The sophisticated rendezvous for those residents who appreciated continental culture was the Hotel de France operated by three Frenchmen: Ricard, Minguet, and Videau. This was a favorite place to entertain guests and out-of-town visitors. When in July a delegation from Sacramento (editors and town council) made a formal visit to Marysville, Stephen J. Field, acting as one of the hosts, took his party to this hotel where they enjoyed "a genuine French meal" including "poisson en variété," "boeuf rôti," "Omelette sucré," etc. Henry Videau later purchased the interest of his partners and continued for some time to attract that discriminating trade.^{57a}

MEDICINE AND LAW

When companies to come to California were organized, the members naturally wished, if possible, to include within their membership a medical practitioner. This practice was a good thing for the company, but it brought a surplus of medical men to California. By the end of 1850 at least fifteen were offering their services to the residents of Marysville, who numbered not over 1500. Even allowing four or five hundred transients as possible patrons, this population could not support fifteen doctors. The result was that nearly all of them engaged in some side lines, if indeed the medical practice was not the side line.

Dr. D. W. C. Rice, the dean of the profession, was a native of New York who, at the age of twenty-six, had come to California in 1849 with the Linda Company. He began to practice as soon as Marysville was founded, but was also quite active in opening the town of Linda. Even after the latter town was dead, he conducted a sort of real estate agency in his office, which was conveniently located in the banking house of Cunningham and Brumagim. Later he engaged in the drug business in Marysville, and finally, before his death in 1870, had become a member of the firm of Redington, Hostetter and Co., wholesale druggists of San Francisco.⁵⁸

The two most popular and probably most prosperous physicians were Dr. S. T. Watts of Virginia and Dr. S. M. Miles of Georgia. The former had arrived early in 1849 in California and was practicing at Sacramento when Marysville was founded. The latter had come to California as surgeon in the United States Army. These two doctors, in addition to their private practice, were partners in the City Drug Store, which anticipated the modern departmentalized drug stores. Their cards announced drugs, medicines, paints, oils,

syrups, bitters, lime juice, hydraulic cement, lime, glass, quicksilver and other sundries. But Dr. Watts was also partner with Dr. A. A. Marshall in the operation of the "Hotel for Invalids" located in a "lathed and plastered" building at Fourth and "A" streets.⁵⁹

Dr. W. W. Dwight of New York City was perhaps the most experienced, having been graduated from the Boston Medical College in 1830. He claimed to be especially fitted to treat cholera and in his cards reminded the public of the prevalence of that disease in the State. Dr. S. T. Brewster, who had been elected coroner, was perhaps the youngest and least experienced; he was but twenty-two in 1850.⁶⁰

Dr. E. B. Hand, of Missouri, announced that he had served unfortunate immigrants without charge and offered to do so again but offered his services also to those who could pay. He, too, was a specialist on cholera and contributed long articles to the *Herald* describing symptoms of and preventatives for the dread malady. Dr. W. S. Pierce and Dr. A. H. Wilder offered their services but made no particular claims; but Dr. John B. Gray, a graduate of the University of Pennsylvania, called attention to the fact that he had practiced for thirteen years in Missouri and Illinois. Dr. J. A. Bradshaw, chemist and druggist, operated his store on "D" street and offered a list of merchandise nearly as bizarre as that of his competitors.

There was one medical reformer, Dr. J. B. Warfield, a graduate of the Botanico-Medical College of Ohio, who offered services in medicine, surgery, and obstetrics and claimed to be a cholera specialist. He had come to California in 1849 and had practiced in Sacramento before moving to Marysville in the summer of 1850, when he introduced himself with the following card:

BOTANIC OR PHYSIOLOGICAL
PRACTICE OF MEDICINE

The opposition with which this truly grateful and scientific system of Medicine has heretofore met is mainly from two causes, first, the want of knowledge of the principles upon which we base our system; secondly, the innumerable hosts of empirics who have the impudence to come out under the flag of Medical Reform and impose themselves upon the afflicted public, as being qualified to discharge the duties of a physician. Almost every man who attempts to reform from the old abominable mode, bleeding, blistering and giving poisons for the cure of disease, is hailed as an imposter. Be careful who you condemn. The undersigned feeling able to sustain the cause in which he had enlisted, tenders his services to the public. The practice needs not the aid of acclamation to enhance its value, all it asks is a fair trial to be duly estimated. He particularly solicits the attention of Cholera patients for in this dreadful scourge of the human family its success has and will continue to triumph over all other systems of medical practice.⁶¹

Finally there was Dr. J. W. Winter, of Kentucky, a dental surgeon who had had five years' experience and whose accomplishments and offerings are best stated by his own card:

Porcelain Teeth inserted in Gold Plate from one to an entire set; also on atmospheric principle: also on Pivot—Teeth filled with Gold Foil and preserved—Tartar removed

from the Teeth—Scurvy cured—Tooth ache cured in a few minutes!—Sensibility of the teeth destroyed—Teeth extracted with improved forceps. All operations warranted and advice given gratis.

Ladies waited on at their residences.⁶²

Most of the prominent members of the bar have been introduced in connection with other topics. But in addition to these—Field, Haun, Wheeler, Swezy, Mulford, McCarty—a few others equally prominent ought to be mentioned. John V. Berry came to California from Dubuque, Iowa, in September, 1849. In Iowa he had specialized in land and mineral claims and represented himself as such a specialist to the people of Yuba County. He enjoyed an active practice until his death in 1853. Henry P. Watkins was born in Kentucky in 1820 but was living in Missouri in 1849 when he started for California. He came to Marysville in the spring of 1850 and was appointed to serve as district attorney in Turner's first sessions until the election in October. He was active in local politics and was sent to the State senate from Yuba County in 1858; but he is especially famous for the part he took in the filibustering expedition to Mexico with William Walker, during which he became vice president of the abortive Republic of Sonora.⁶³

George Rowe was born in Lycoming County, Pennsylvania, in 1808. He moved to Marion, Ohio, where he studied law and where he was admitted to the bar. While practicing there in 1849, he joined an overland company bound for California, and went to the new settlement of Downieville in the first months of 1850. In April of that year he settled in Marysville, where he practiced until his death in 1873.⁶⁴ J. O. Goodwin, born in New York in 1819, has already been referred to as a member of the Field-Turner fight and as successful candidate for district attorney in October, 1850. For thirty years he was prominent in legal affairs and politics until his death in 1879, thirteen days after he had married Mary Wadsworth, a brilliant young opera singer, also of Marysville.⁶⁵ Francis L. Aude was born in Kentucky but came to California from Missouri. He arrived in Marysville in the spring of 1850 and practiced until his departure in 1862, during which years he was very active in local politics, going to the assembly in 1858. Gordon N. Mott, of Ohio, had served in the Mexican war and had come to California in 1849, going first to the Auburn district where he kept a store and, as he said, engaged in "bush-whacking law practice." He came to Marysville in the spring of 1850, but soon took up residence in Sutter County where he was elected county judge in April. When Turner was displaced by Field's legislation, Mott was appointed district judge of the Tenth Judicial District, which included Yuba and Sutter counties. He then resided at Marysville until 1861, when he moved to Nevada and soon became active in the politics of that territory.⁶⁶

O. P. Stidger, of Ohio, came to Marysville soon after January, 1850, but went on to Foster's Bar where he was elected justice of the peace and associate justice of the first Court of Sessions. Although qualified, he practiced little, if

any, at the bar of Yuba County. He became editor of the *Marysville Herald* in 1853, and later editor of the *North San Juan Times*, which paper he controlled until his death in 1888.⁶⁷

Other names, including John H. Mitchell, Philip W. Keyser, J. W. McCorkle, F. J. McCann, and Leonidas Martin, are to be found in legal records of Yuba County in 1850, but they either were obscure or belonged primarily to other communities.

URBAN SHOPS

Any village will have hotels, restaurants, and general stores in varying numbers and of varying quality; therefore a better indicator of the degree of urbanization of a settlement is the list of miscellaneous auxiliary shops to be found offering those services and goods not entirely essential to existence but essential to comfort and progress.

At the top of this list rightfully belongs the Marysville Bath House, owned by Charles F. Gifford, who offered an otherwise plumbingless community, warm and cold baths, and even shower baths. A bath cost one dollar and a half, but for ten dollars the addict could have a ticket entitling him to ten baths. The fact that the proprietor made thirty dollars a day from this institution speaks well for the community. The Marysville Book Store, operated by R. A. Eddy, furnished not only stationery, but latest novels, books, magazines, maps, etc. Beaulieu & Co. carried a stock of tobaccos, liquors, and wines. J. de Bell and M. S. Blankstein, competing watchmakers, carried stocks of jewelry. The Eagle Bakery, owned by Hugh Kennedy, and the City Bakery, run by E. Bowland, sold fresh bread, butter, cheese, and green vegetables. L. Keser, tailor, advertised garments cut and made after the latest styles.

James Cushing, the County Surveyor, offered his engineering services to the public as well as his services as a conveyancer and real estate agent. Vitus Wackenreuder, another surveyor and engineer, also proffered his services, as did the original surveyor of the town, Auguste Le Plongeon, who announced himself as surveyor and topographical engineer. But the most welcome contribution of the latter in the winter of '50 was the introduction of a chemical preparation which he promised would destroy in a day or two all rats on one's premises, if applied according to his directions.

R. M. Foltz, formerly of the custom-house of San Francisco, was an auction and commission merchant, selling on occasion all kinds of merchandise from a sack of potatoes to a section of land. O. H. Pierson of Peoria, Illinois, kept a horse and mule market where one could sell or buy. Parks and Smith sold building bricks which had been burned on the bank of the Feather River by Mexicans. D. M. Shepard carried lumber and other building supplies. M. C. Nye & Brothers kept a livery stable where one could secure saddle horses and light rigs on short notice. And Lewis Cunningham and Mark Brumagim had founded their banking house, which had a continuous existence, though under changing names and ownership, down to 1932.

John Rueger, born in Switzerland in 1815, came to the United States in 1847 and settled at Detroit. In '49 he joined an overland company which left St. Joseph in May for California. He survived a plague of cholera, which killed some of his company, and arrived on the Yuba in the fall of 1849. After a few months of mining, he came to Marysville, where he saw an opportunity, and with a compatriot, George Engler, established the Marysville Brewery. This institution was founded in July, and was received with as much gratitude as were the fall rains which restored transportation. Beer, or ale, as it was more generally called, sold for twenty-five cents a glass; hence the wealth with which Rueger was able in 1854 to establish at Benicia one of the first large-scale breweries in the State.⁶⁸

In June, 1850, Colonel R. T. P. Allen, the special mail agent for California, established a post-office at Marysville. James Cushing, County Surveyor, was appointed postmaster. He distributed and received the mail at his real estate office until December, when the first brick building of the town was ready for occupancy and in which a room was rented for a post-office. Cushing installed one hundred and eighty private boxes which allowed renters to "discover whether or not there was mail for them without inquiry," provided the citizen considered this privilege worth the rental—one dollar and fifty cents per month. An ironical fact is that when Cushing died in Marysville, December 23, 1858, he left to his widow no property other than a claim against the United States Government for money due him for services rendered and advances made while he was postmaster in 1850 and 1851.⁶⁹

In the fall, a Mr. Bloomfeld opened the first school. It was for all grades and was held in a zinc house at Fourth and "D" streets. Whether or not the school continued throughout the winter we do not know; it is never included in later accounts of education in the town.

There came to the town a professional undertaker during the first part of 1851; but during 1850, S. R. Tull buried unknown deceased paupers for the county and probably rendered similar service to private individuals.

September 19 the Court of Sessions authorized Judge Haun to let a contract for a county jail to be constructed in Marysville. He was to choose between bricks and hewn timbers. He chose the former, but the institution was not finished until the end of the year. During most of the year 1850 it was necessary to guard prisoners or send them to Sacramento.

A. W. Cutts, who came to California with the Kennebec Company, was a blacksmith by trade. He was occupied at Eliza handling affairs for the town-site company during the spring of 1850, but when Eliza proved futile, he came to Marysville and opened a blacksmith shop. A competing shop was operated under the name of Bret & Stetson, blacksmiths and wheelwrights.

And finally, as a sure sign of urbanization, Meier Rehfish came from Sacramento and introduced the "Grand Lottery." As many as one hundred and fifty prizes were put in the pool; three hundred tickets at ten dollars each were sold; half of the tickets were winners; and a desire to gamble was fulfilled.

GENERAL STORES

By the end of 1850 there were at least thirty general stores doing business in the town. The best evidence that this number was too great for the prosperity of all is the fact that even this early in the community's existence there was a succession of partnership formations and dissolutions, and the closing out at auction, or transfer to new partners, of stocks and assets. Not less than one hundred merchants were interested actively or silently in these thirty or more stores. Yet those who remained in business here for any number of years are very few.

The pioneer merchant best remembered and known to more people of the town today was John Quackenbos Packard, who was born in Johnstown, New York, November 26, 1822. He arrived in San Francisco in June, 1849, and went to Jacksonville to mine; but by October he was back in San Francisco setting up as merchant, having had experience in stores before coming to California. He sold his store in San Francisco and was one of the first persons to bring a stock of merchandise to Marysville during the month of its founding. Here he remained in business, expanding the while, until 1862, when he went to Nevada. But he retained business interests and partial residence in Marysville until his death in 1908. His memory is perpetuated by a library building which he donated to the city of Marysville.⁷⁰

Packard's partner was Colonel Edwards Woodruff, who was born at St. David's, New York, December 10, 1824. He was graduated from Hobart College and studied law at Yale. He finished his training in law in the offices of Freeman and Haven in Buffalo, New York, but never practiced because the gold rush to California tempted him to cross the plains in 1849. He met Packard in San Francisco, where they made their plans to come to the new town on the Yuba. These partners conducted one of the most popular and profitable stores on the Plaza until the dissolution of this partnership in 1862. Woodruff, like Packard, spent some years away from Marysville, but returned later in his life and died here in 1899.⁷¹

John C. Fall was a close rival of Packard for the distinction of being the most successful merchant of Marysville. He came to California in 1849 from Lancaster County, Ohio. He had been born at Staunton, Virginia, in 1810. He engaged in business at Sacramento in '49, and came to Marysville as soon as the town had been surveyed. Fall was one of the oldest men in town and had had twenty years' experience in stores; so Fall & Co. became the biggest operator during the 50's, making a fortune for its owner. But the floods of 1862 nearly ruined this prosperous firm, and Fall went to Nevada to begin again. This pioneer left a monument, in the shape of a beautiful brick mansion which he had built in the fifties, to remind the residents of his prosperity.⁷²

John H. Jewett arrived in California in June, 1849, from Connecticut. He tried mining for six months, then became interested in packing, owning as

many as fifty mules. It has been noted that he and Horace Beach arrived in Yuba City soon after Marysville was founded but chose the latter city in which to settle. Jewett was versatile and before many months was interested not only in a store which bore his name but also in several others. He soon became a member of the firm of Cunningham & Brumagim, and later with Peter Decker was one of the owners of the firm which bore their names until it was closed in 1932.⁷³

Morton Cheesman of New York was one of the several partners of Jewett. The former, with B. F. Cheesman, had operated stores in Sacramento and Ophir, but withdrew in 1850 to become associated with Jewett, Decker, Cunningham, Brumagim and others in the more lucrative business of banking. He died in 1889 worth a half million dollars.⁷⁴

William Pierce Harrington, born in Damariscotta, Maine, in 1826, came to California by way of Panama in the spring of 1849. He, also, mined for six months and came to Marysville where he was at first associated with Crockett & Co. and afterwards with Harrington, Hazeltine & Co. Later he followed John C. Fall when the latter moved to Nevada.⁷⁵

Lorenzo H. Babb was born in New Hampshire in 1819, but was working in a store in Boston when he left in October, 1849, for California, by way of Panama, arriving in San Francisco December 1. In February, 1850, Babb brought a quantity of merchandise to Marysville, rented half a building from Stephen J. Field, who sublet part of his law office, and sold his stock of goods before he could get more from San Francisco. He soon formed a partnership with Ira Eaton, and they moved to a building on the Plaza, where they expanded. Later, with William Hawley they expanded further. This business failed in 1859, and Babb worked until his death in 1888, for wages, for various commercial firms in Marysville.⁷⁶

George H. Beach was the first real capitalist to become interested in the town. He came from New London, Connecticut, where he had been born in 1817. This pioneer brought wealth, in the form of merchandise, with him from "The States" and began at once to conduct mercantile businesses at several places in the mining districts. He was interested in the firm of Beach and Brown at Marysville, and was sole owner of the steamer *Lawrence*. Beach expanded his interests during the year (1850), and became perhaps the largest operator in lands, lots, stores, toll-bridges, ferries, steamers, etc. But the later history of this pioneer capitalist is very much like that of Lorenzo Babb; he suffered losses during the fifties and was obliged later to return to work for wages. However, he spent his last years in the more pleasant business of conducting a nursery in Napa County.⁷⁷

Other familiar names—Tay, Brooks, Ransom, Ford, Goodwin, Macy, Schaeffer, Hall, Powers, Pearce, etc.—are in the records for 1850 but do not become prominent and active until a later period.

For the type of business which these merchants conducted during the first

year of the town's existence, it is difficult to find a good description. Of course, it was no counter trade; the bulk of supplies went to the mines in large lots. Some of these firms were called wholesale, and all might well have been so called. Current prices during the year of 1851 were published, but there are no figures given for 1850. There probably were few really fixed current prices, because all stores, excepting the larger and more dignified ones, disposed of a great amount of goods at auction. One suspects that this manner of bartering and purchasing appealed to the miners and storekeepers from the diggings and satisfied their desire to gamble. The town probably had more of the character of a combined carnival and European public market than of our modern conception of a busy trading center.

TRANSPORTATION AND COMMUNICATION

There were four stage lines which ran in and out of Marysville in 1850. The Mountain Line, R. A. Eddy, agent, carried both freight and passengers to Foster's Bar. Stages left Marysville at eight in the morning, Mondays, Wednesdays, and Fridays, and arrived from Foster's Bar on alternate days. The Cayota Line for Long Bar, owned by W. Montgomery and A. W. Johnson, left the United States Hotel every morning at eight o'clock and arrived from the Bar each evening. The lines to Nicolaus and Vernon by way of Plumas and Eliza, owned by Van Brant and Johnson, and Durkee and Sharp, have been mentioned.

John Seward, of Maine, who came to California with the Kennebec Company, operated a freight line to Downieville. He depended chiefly upon pack-animals, but he had a novel combination of wagon and barge auxiliary. At certain seasons and over certain stretches of the river he could operate light draft barges to move freight up the Yuba; along certain stretches of the river not navigable for barges he could use freight wagons; but from Foster's over to Downieville he used pack-animals. Seaward also took up a squatter's claim south of the Yuba, where he cut hay which he transported to his store at Park's Bar, from which point it was distributed to the diggings further up the river.⁷⁸ While wagons rapidly became more numerous towards the end of the year, the pack-mule was for several years the dependable means of freight movement, being relatively independent of weather and roads, besides being more economical to maintain and operate.

The first wagons to go up the Yuba determined the roads, as their drivers followed the most favorable natural topography. August 23, 1850, the Court of Sessions of Yuba County ordered that all traveled roads at that time should become public highways; and any acts of obstruction of these roads were declared punishable. The same day the Court ordered that all male citizens would be obliged to give two days' labor on the roads of the county yearly. The work was to be done after April; so there were no improvements made during 1850.⁷⁹

June 12, the Court issued a permit to R. B. Buchanan to operate a ferry across the Yuba at Marysville. His license fee was \$300 per year, and the court limited his tolls as follows: Carriage and two animals, \$3.00; animals, .75; man and horse, \$1.25; footman, .50; freight per cwt., .15, and wagon, \$2.00.⁸⁰

June 13, John Rose was permitted to operate a ferry across the Yuba at Linda; he paid a license fee of \$400 and was limited by the same tolls quoted above.⁸¹ Then on August 19 a permit was granted G. M. Hanson to operate a ferry across the Feather between Marysville and Yuba City. His rates were: footman, 25c; horse and rider, 75c; packed animal, 75c; horse or mule, 50c; wagon, \$1.50; loaded wagon, \$2.00; cattle, 25c; other animals, 12½c; freight, 10c cwt.; buggy, \$1.00.⁸² Thus with these three ferries it was possible for all traffic to get in or out of Marysville without swimming animals or skirting the rivers in search of fords. Bridges across the rivers and creeks were not constructed until the next year.

There were three express companies with resident agents doing business in Marysville in 1850. Each of these local agents served likewise as agent for one or more of the national organizations. R. A. Eddy was agent for Monson & Co., and B. F. Henderson for Palmer & Co. Hawley & Co. were represented for some months by Edward W. Tracy, until August, when T. R. Hawley and J. M. Freeman consolidated their interests, after which time the new organization was known as Freeman & Co.'s Express. Each of these companies performed the same services over the same routes, serving as banker, broker, dray and parcel delivery, letter carrier, news syndicate, and confidant in general. That their services were essential and their operations profitable is indicated by the increase in number of these institutions serving the same communities.

ONE YEAR OLD

Marysville at the end of 1850 had grown from the tent camp of April to a board town. Nearly all of the canvas structures had been converted into frame houses with shake or zinc roofs. The amount of furniture, glass windows, and hardware, had increased greatly. There was one brick building on Second Street, which had been completed by G. N. Swezy in December, and which was occupied by the post-office and Perry & Co.'s "Brick Store." A brick jail was being completed, and several other brick buildings were projected. The population at the end of December cannot be estimated satisfactorily. August 6, the editor had claimed 3,000, but in October a census was taken and only 1,428 residents were counted. The editor yet insisted that there were 2,000, declaring that the census had classed as transients many who were really residents. The election of October, which, owing to its temper, should have brought out nearly all eligible voters, actually brought out only 618 in Marysville. There were certainly as many men as women and children; so there very probably were never more than 1,500 residents in the community during the year, al-

though at any time one might have found as many as two to five hundred transients in the town.

No better summary of conditions in Marysville and the character of the community at the end of the year can be produced than a letter which Stephen Massett wrote a few days after his arrival in December. One must not be prejudiced by the style; if the spelling and punctuation were corrected it would not be "Jeems Pipes."

Marysville Sitty (2 Bee) 21st. Dec. 18 fifty. Col. R. H. Taylor, Deer Sur, For the Last phew deys I have been engaged in Looking around the Diggins of youre beutiful Town and Nayboring Sister Sitty Yoober—It strikes me that this place must be the Hed of Navigashun as orl these Towns profes to be, and that Yoober's is the tale. As youshall there are here as in orl other Kaliforniar Towns a Superabundentz of Loryers, Doctors, Otel Keapers, Washerweemen—the "Tremont" I Stopped at fust but they put me in a Room with 2 uthers & I did'nt Like it—They are very sevil tho' & "set" a good Tabel, Besides won as the plessure of looking at a very interesting Ladye, wile eating—the "St. Charles" in appearance is the krack house and is well Patronneyed, but at the "Southern and Western" I had the Best Bed and the quietest Room free of Rats and uther Remarkable Noises, that Ive ever had in the Kuntry—The Gong, Triangle, or Bell rouses you up about 3 or 4 in the Morning to Brekfast wen the Bisness of the Day Kommenses. The klink of Dollers the groops urround in the different "Monte" Tables—the whirling of the Roolette Table and the cry of "Eagle Bird by chance" remind you that you are yet in Kalifornia, wile the smorl Klothng shops & pekuliar visages of the Descendants of Abreham gret you at orl Korners as in Sacraymento & San Francisco Cittys. There are sum Large Houses here dooing a kapital Traid—"Packard & Co." "Fall & Co." "Eaton & Co." orl young Men bound to maik a fortune—Tis certainly strange to think how this place—a year ago a barren waist—had advanced!—5 or 6 Steamboats running up and down—Shower barths—Barber Shops, Apothekary shops—Hoam Brewd ale—Patent Lether Boots—exquisightly maid Jewelry—by Ball & Co.—soots in chansery—Boston Kut klothse—chinese shorls—Fashionable Establishments with Peaner Forts inkluded—Fresh Eggs only 6 Dollars a Dozen—Billiard Tables—Methodist Churches & orl uther sorts down to a Sinnergogge—Buckwheat Kakes—Beers Meet—game cocks fighting about the streat free of charge—Mare & kommon kounsel expected—Masons Lodges—odd fellers—and persons from every part of the inhabitabel or habitual Globe kan be had seen or herd of here—on Sunday krowds of Elegantly dress'd young youths with immentz kolors & short sticks—a la Albert Smiths "gents"—perambulated the Streats—fancy vests and polish'd boots glittered in the brite sun wile every kuller in the kalediskepe kood be seen in the varied plumage and the different silks of the gaudily tho' brilliantly attired phe-males. "Nyes Livery stable" delivered itself of prancing and well kaparisoned steeds, without any shrill trumps & Barooches. Buggys & Gigs flew by frated with Sunday plessure seekers. The Merry Church Bell korled the Righteous to Prare wither of corse with orl doo speed went

Yours Trooly

Jeems Pipes

of Pipesville.⁸³

NOTES TO PART II

1. *Journal of California Legislature*, First Session, 1850, pp. 416-17.
2. *Ibid.*, pp. 420-21, 535. A reasonable suspicion is that Senator Crosby had caused his town of Vernon to be named in the first report, and that Senator Henry Robinson had caused his town of Kearney to be named in the second. Robinson might even have been responsible for Yuba County. There is no direct evidence for this suspicion.
- The erroneous spelling of General Stephen W. Kearny's name as "Kearney" had a wide usage until Zoeth Eldredge called attention to the mistake toward the turn of the century.
3. *Ibid.*, pp. 713-14. The boosters of Yuba City were somewhat confused during these days. Feb. 7, a petition from Yuba City prayed that that city be named as seat of justice of Brannan County. This petition was referred to the Committee on Counties, but two days later the committee reported that they failed to discover a county by that name and asked to be discharged from further consideration of the petition (pp. 789 and 801).
4. *Ibid.*, p. 728.
5. *Ibid.*, pp. 156, 167, and 840.
6. *History of Yuba County*, Thompson & West, p. 42.
7. *Placer Times*, April 24, 1850.
8. *Daily National Democrat*, Marysville, June 7, 1860; T. & W., pp. 48 and 51; *Biographical Directory of the American Congress, 1774-1927*, p. 1074.
9. *Marysville Herald*, June 12, 1855 (obituary); Probate file No. 159, Yuba County.
10. T. & W., p. 50.
11. *Appeal*, Jan. 16, 1895 (obituary); T. & W., p. 51.
12. T. & W., p. 42; *Appeal*, Dec. 10, 1875 (Brewster obituary); Probate files (Brewster) No. 805, (Cushing) No. 247, (Tompkins) No. 710; *Directory*, 1855, p. x.
13. Minute Book No. 1, District Court of Yuba County, p. 9.
14. *Proceedings of the Assembly of the State of California, 1851, on the Petition of Citizens of Yuba and Nevada Counties for Impeachment of Wm. R. Turner; Documents in Relation to Charges Preferred by Stephen J. Field and Others before the Assembly against Wm. R. Turner, 1851*. These two pamphlets contain nearly all of the available partisan information—depositions, letters, newspaper articles, etc.
15. Minute Book No. 1, District Court, Yuba County, p. 12.
16. Minutes of the Court of Sessions of Yuba County, 1850, pp. 1-3.
17. Book No. 1, District Court, Yuba County, p. 13.
18. *Reports of Cases Determined in the Supreme Court, State of California*, Bennett, V. 1, pp. 144-51.
19. *Ibid.*, pp. 152-56.
20. Minutes of The District Court of Sutter County, 1850, pp. 8-9.
21. *Ibid.*, pp. 14-15.
22. *Reports of Cases*, Bennett, V. 1, p. 189.
23. *Ibid.*, p. 190.
24. *Appeal*, July 31 and August 3, 1875 (obituary); *Sacramento Record-Union*, August 2, 1875; *Great Register, Yuba County*, 1867; Probate file 783, Yuba County; Roster of Marysville Pioneers.
25. Deed Book No. 1. Yuba County, pp. 16-17. These signatures were witnessed by R. B. Buchanan and John Parks.
26. *Ibid.*, pp. 27-29. Sicard's signature was witnessed by John Sampson and Stephen J. Field.
27. *Ibid.*, pp. 89-90.
28. *Ibid.*, pp. 60-62. Covillaud had to publish a notice stating that he would not be

responsible for debts against C. Covillaud and Co. He denied that the name had ever existed except for the purchase of the grant and townsite. Evidently the name was being confused with partnerships in which his former associates were interested. (*Herald*, Nov. 26, 1850.)

29. *Sacramento Transcript*, July 25, 1850.

30. *Ibid.*, July 26, 1850.

31. *Ibid.*, August 1 and 3, 1850.

32. *Ibid.*, August 5 and 7, 1850.

33. *Herald*, Aug. 6, 1850.

34. *Ibid.*, Aug. 27, 1850.

35. *Ibid.*, Aug. 30, 1850.

36. *Ibid.*, Aug. 20, 1850; *Transcript*, July 27, 1850.

37. *Herald*, Nov. 22, 1850.

38. *Ibid.*, Nov. 26, 1850. The *Governor Dana* was the favorite boat on the river at that time. She had been built in Maine and was owned by Nathaniel Lord. John H. Hunt was her agent in Marysville. The editor was remarkably philosophical and good humored about the low water. All along he contended that there was enough water for boats to run if only the snags were removed. When Nicolaus was left above the navigation line, the editor chided a merchant of that place, Colonel Grant, for an advertisement which announced Nicolaus as "Depot for all the Northern Mines." Finally the steamer Yuba, which really kept Marysville the "Head" all summer, hit a snag and sank just below town in the Yuba River. The editor declared that this sinking proved that Marysville was the "Head" because there had to be even more than navigating water to sink a boat. The slogan "Head of Navigation" became a provocation for much jocular chiding and exaggeration.

39. *The Bay of San Francisco*, 1892, The Lewis Publishing Co., Chicago, V. 2, pp. 97-98; *History of Nevada*, Thompson & West, Oakland, 1881, p. 579; C. C. Goodwin, *As I Remember Them*, Salt Lake, 1913. *Herald*, June 26, 1855.

40. *Transcript*, May 25, 1850.

41. *Ibid.*, July 15, 1850; *Herald*, Aug. 6, 1850.

42. *Placer Times*, Aug. 25, Sept. 15, Nov. 24, 1849, Jan. 5, 26, April 22, 24, May 8, 1850.

43. Stephen C. Massett, *Drifting About, An Autobiography*, New York, 1863, pp. 154-55; all of the biographical sketch, excepting those references to Sacramento, has been taken from this work.

44. *Herald*, Aug. 6, 1850.

45. *Ibid.*, Aug. 13, and 23, 1850.

46. *Ibid.*, Aug. 27, 1850.

47. *Appeal*, Feb. 6, 1860.

48. *Herald*, Dec. 24, 1850.

49. *Ibid.*, Oct. 8 and 22, 1850. McCarty stated in a speech that Field was an abolitionist. The *Herald* denied the accusation and branded it as unfair. Thomas Ware Wilson was from Hamilton County, Ohio, in which State he had had experience in local politics and had served as county sheriff. After the election in October, 1850, he was appointed deputy tax collector for Yuba County and was assigned to the upper diggings. He worked a short time around Nevada City, collected three thousand dollars, and "vamoosed" with the funds to the distress of his sureties. He was traced to San Francisco but escaped on the brig *General Worth* bound for Panama. (*Herald*, Nov. 29 and Dec. 3, 1850.)

50. Minute Book No. 1, District Court of Yuba County, p. 24.

51. *Transcript*, July 17, 1850; *Directory*, 1858, p. x.

52. *Herald*, Aug. 6, 1850.

53. *Ibid.*, Oct. 18, 1850.

54. *Ibid.*, Nov. 15, Dec. 6, 1850.
55. *Ibid.*, Dec. 13, 27, 1850.
56. *Ibid.*, Dec. 6, 1850.
57. *Ibid.*, Nov. 22, 1850.
- 57a. *Transcript*, July 17, 1850.
58. *Appeal*, Aug. 4, 1870.
59. *Directory*, 1858, p. XIII; *Herald*, 1850 (many cards and references).
60. *Appeal*, Dec. 10, 1875 (obituary of Brewster).
61. *Herald*, Nov. 5, 1850.
62. *Ibid.*, Dec. 24, 1850.
63. *Appeal*, Jan. 4, 1873.
64. *Ibid.*, Oct. 28, 1873.
65. *Appeal*, July 17, 1879. Goodwin's family contested the will which left his estate to his bride of a few days. There was a long contest during which a great deal of scandal was exposed and charged.
66. *Ibid.*, April 30, 1887; T. & W., p. 50.
67. *Appeal*, July 4, 1888. Stidger, while editor of the *Herald* in 1854, offended Richard Rust, editor of the *California Express*. They fought a duel in Sutter county; neither was injured.
68. Bailey Millard, *History of San Francisco Bay Region*, San Francisco, 1924, v. 3, p. 416. George Engler married Eliza Sutter, daughter of Captain John A. Sutter.
69. *Transcript*, June 27, 1850; *Herald*, Dec. 3, 1850; Probate file No. 247, Yuba County.
70. J. M. Guinn, *History of The State of California and Biographical Record of Sacramento Valley*, Chicago, 1906, p. 360.
71. *Appeal*, Feb. 14 and 15, 1899; *Marysville Democrat*, Feb. 13, 1899; *Marysville Appeal-Democrat*, February 28, 1833 (Address by H. P. B. Carden).
72. *San Francisco Examiner*, Dec. 13, 1894 (6-4); *Appeal*, Dec. 14, 1894.
73. *San Francisco Call*, Jan. 17, 1892 (12-4).
74. *Appeal*, Mar. 16, 1889.
75. Guinn, *California and Sacramento Valley*, p. 479.
76. *Appeal*, Sept. 19, 1888.
77. *Memorial and Biographical History of Northern California*, pp. 377-81.
78. Guinn, *California and Sacramento Valley*, p. 1704; Roster of Marysville Pioneers.
79. Minutes of Court of Sessions of Yuba County, 1850, pp. 28-30.
80. *Ibid.*, pp. 3-4.
81. *Ibid.*, pp. 8-9.
82. *Ibid.*, pp. 20-21.
83. *Herald*, Dec. 24, 1850.

WESTERN HISTORY

*A Check List of Recent Items Relating to California and the West**

BUCKBEE, EDNA BRYAN.

The saga of old Tuolumne. New York: The Press of the Pioneers, Inc., 1935. [xiv]+526 pp., incl. bibliog. and lists of pioneers, ills.

CHITTENDEN, HIRAM MARTIN.

The American fur trade of the Far West. A history of pioneer trading posts & early fur companies of the Missouri Valley & Rocky Mountains & of the overland commerce with Santa Fé, with introduction and notes by Stallo Vinton and sketch of the author by Dr. Edmond S. Meany. New York: The Press of the Pioneers, Inc., 1935. 2 vols. xxx+1014 pp. incl. index, port. [Announced in this *Quarterly*, December, 1932, and now finally published.]

DOYLE, HELEN MACKNIGHT.

A child went forth. The autobiography of Dr. Helen MacKnight Doyle, with a foreword by Mary Austin. New York: Gotham House, 1934. 364 pp.

DRIGGS, HOWARD R.

The Pony Express goes through. An American saga told by its heroes. New York: Frederick A. Stokes Co., MCXXXV. xvi+208 pp. incl. index, ills.

DRURY, AUBREY.

California, an intimate guide. New York: Harper & Brothers, 1935. xvi+589 pp. incl. index, ills. [An authentic guide, written in a charming manner and packed with historic facts, explained and properly correlated to their geographic locale. For the visitor, the newly arrived in California, and possibly the older residents, Mr. Drury's work will prove invaluable. Doubtless the best book of its kind so far published.]

HANNA, PHIL TOWNSEND.

California through four centuries, a handbook of memorable historical dates. With a foreword by Herbert Eugene Bolton. Drawings by Raymond P. Winters. New York: Farrar & Rinehart, Inc. [1935] xv+212 pp. incl. index, ills.

KING, CLARENCE.

Mountaineering in the Sierra Nevada. Edited and with a preface by Francis P. Farquhar. New York: W. W. Norton & Co. [1935]. 320 pp. incl. bibliog., ills.

McMINN, HOWARD E., and MAINO, EVELYN.

An illustrated manual of Pacific Coast trees, with lists of trees recommended for various uses on the Pacific Coast by H. W. Shepherd. Berkeley, California: University of California Press, 1935. xii+409 pp. incl. index, illus.

MEARS, ELIOT GRINNELL.

Maritime trade of western United States. Stanford University, California: Stanford University Press [1935]. xvii+538 pp. incl. index and bibliog., ills.

MILNER, JOE E., and FORREST, EARLE R.

California Joe noted scout and Indian fighter. With an authentic account of Custer's last fight. By Colonel William H. Bowen. Caldwell, Idaho: Caxton Printers, 1935. 396 pp., ills. [A valuable book. Advertised two years ago by the Pioneer Press, but was not issued from that press.]

* Readers will confer a favor by furnishing out-of-the-way items for notice in this department. We shall cite books, pamphlets, broadsides, magazines and important newspaper articles of historical value. Send to the Secretary the items themselves or a card with the title written in the form used here.

PARSONS, GEORGE F.

The life and adventures of James W. Marshall, the discoverer of gold in California. Introduction & notes by G. Ezra Dane. San Francisco: George Fields, 1935. A reprint of a scarce early work.

ROLLINS, PHILIP ASHTON [ed.].

The discovery of the Oregon Trail. Robert Stuart's narratives of his overland trip eastward from Astoria in 1812-13. From the original manuscripts in the collection of William Robertson Coe, Esq. To which is added: an account of the *Tonquin's* voyage and of events at Fort Astoria [1811-12] and Wilson Price Hunt's diary of his overland trip westward to Astoria in 1811-12. Translated from *Nouvelles Annales des Voyages*, Paris, 1821. New York: Charles Scribner's Sons, 1935. cxxxvii+391 pp. incl. index, ills.

SABIN, EDWIN L.

Kit Carson days, 1809-1868. "Adventures in the path of empire." Revised edition with new matter. New York: The Press of the Pioneers, Inc., 1935. 2 vols. [xiii]+996 pp. incl. index.

STANFORD, MABEL A.

The first Californians, a pageant. Claremont: The Saunders Studio Press, 1934. xxii+45 pp., ills.

STRATTON, R. B.

Life among the Indians or: the captivity of the Oatman girls among the Apache Indians, containing also: an interesting account of the massacre of the Oatman family, by the Apache Indians in 1851; the narrow escape of Lorenzo D. Oatman; the capture of Olive A. and Mary A. Oatman; the death by starvation of the latter; the five years' suffering and captivity of Olive A. Oatman, also, her singular recapture in 1856; as given by Lorenzo D. & Olive A. Oatman, the only surviving members of the family, to the author. San Francisco: Grabhorn Press, 1935. 209 pp., ills. [Reprint.]

THOMAS, ALFRED B.

After Coronado. Norman, Oklahoma: University of Oklahoma Press, 1935. 308 pp., maps. [Documents relating to the northeastern frontier of New Mexico, 1696-1727, with historical introduction.]

TILTON, CECIL G.

William Chapman Ralston, courageous builder. Boston: The Christopher Publishing House [1935]. 474 pp., incl. index, ills.

WALSH, MARIE T.

The mission bells of California. San Francisco: Harr Wagner Publishing Co. [1934]. xii+327 pp. incl. index and bibliog., ills.

WILLIAMS, CHAUNCEY PRATT.

Lone Elk, the life story of Bill Williams, trapper and guide of the Far West. Part One. Denver: John Van Male, 1935. 50 pp.

MEETINGS OF THE SOCIETY

THE SOCIETY's luncheon at the Sir Francis Drake Hotel on Tuesday, September 17, 1935, was addressed by George R. Stewart, Jr., Associate Professor of English at the University of California, who spoke on "The Personal View of the Literature of California." Some forty members and guests were present.

Professor Stewart explained that in listing twelve books for the general reader which would show California during the various phases of its development, he had made his choice from those works which have been mellowed, or sifted, by time, and that he had selected only prose, finding little among poetry or drama that suited the purpose. He excluded diaries, because they usually lack cumulative interest, and histories because their approach is ordinarily factual and intellectual, failing to recreate concretely the scene. Lastly, he emphasized that his selection was personal and open to argument. The twelve books were: Richard Henry Dana's *Two Years Before the Mast*; William L. Manly's *Death Valley in '49*; Mrs. Amelia Knapp Smith Clappe's *The Shirley Letters*; Bret Harte's short stories to be found in the early collections which included the characters of Yuba Bill, Colonel Starbottle and Jack Hamlin; George H. Derby's *Phoenixiana*; Horace Bell's *Reminiscences of a Ranger*; Mark Twain's *Roughing It*; Robert Louis Stevenson's *Silverado Squatters*; Clarence King's *Mountaineering in the Sierra Nevada*; Mary Austin's *Land of Little Rain*; Frank Norris's *McTeague*, and *The Octopus*.

Professor Stewart also mentioned as being of interest to the general reader any of the works of John Muir, Robinson Jeffers, and parts of *The Annals of San Francisco*.

At the luncheon meeting at the Hotel Sir Francis Drake on Tuesday, October 22, 1935, thirty-two members and guests of the Society were addressed on "The Land of Little Rain" by Dr. Helen MacKnight Doyle, author of *A Child Went Forth: The Autobiography of a Woman Doctor*.

Dr. Boyle defined The Land of Little Rain as all the country lying in Inyo County, the Owens River Valley, Death Valley and the mountains as far south as Mojave. She told of its early settlement by the pioneers, among them many Mormons, their struggle with the conquest of the Indians, the development of contacts with the outside world by stage and railroad, and then of the discovery and exploitation of the huge borax deposits. She spoke of her introduction as a young girl from the East to this strange land of ranches and "buckaroos," where quarters were "two bits" and pennies non-existent, of twenty-mule team borax wagons, and of the hearty, simple people who lived there. Finally, after briefly describing the country, Dr. Doyle told of its transition to a "Valley of Desolation" following the loss of its water supply to the city of Los Angeles.

The Society's luncheon meeting at the Sir Francis Drake Hotel on Tuesday, November 19, 1935, was attended by thirty-eight members and guests, who heard Mr. James Madison speak on "The Early Theaters of San Francisco."

Beginning with a portrait of Stephen C. Massett, whose concert in 1849 was the first public entertainment given in the young city, Mr. Madison illustrated his talk with lantern slides of theaters, playbills, and a few actors, including Lotta Crabtree in one of her favorite rôles on the legitimate stage. He showed views beginning with the third Jenny Lind and the second American theaters and continuing down to the well known playhouses that existed until 1906. An interesting item was a Metropolitan Theatre program listing "D. E. Belasco" in his first professional engagement. Accompanying the pictures was a running comment on individuals and establishments. In addition to theaters, other places of amusement that came in for comment were Woodward's Gardens, The Wigwam, where Alice Nielsen got her start, and the Telegraph Hill Observatory and Concert Hall, a "family" theater which stood on the present site of the Coit Tower. Playbills shown by Dr. Madison listed many famous stars, among them Lola Montez, Laura Keane, Edwin Booth, Ada Isaacs Menken, Lawrence Barrett, Edmund Keene, Lotta Crabtree, Ned Harrigan, Weber & Fields, and a Miss Minnie Maddern, who as Mrs. Fiske later became a national favorite.

GIFTS RECEIVED BY THE SOCIETY

September 1 to November 30, 1935

BOOKS AND PAMPHLETS

From AYER COLLECTION, NEWBERRY LIBRARY—Serra, Junipero, *Diary*, 1769, as far as San Diego (photostatic copy of MS, bound).

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From MR. FRANCIS G. GRAVES—Thompson, R. A., *Conquest of California*, Santa Rosa, 1896.

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From PROF. ELIOT GRINNELL MEARS—Mears, E. G.—*Maritime trade of Western United States*, Stanford University [1935].

From W. W. NORTON & COMPANY, INC.—King, Clarence, *Mountaineering in the Sierra Nevada*, ed. and preface by Francis P. Farquhar, N. Y. [1935].

From MR. HENRY R. WAGNER—Ocharte, Pedro, *Cartilla para enseñar a leer*, Mexico, 1569 (reprint).

From MRS. FRANCIS WILLIAMS—Doyle, Helen M., *A Child went forth*, N. Y., 1934; Drury, Aubrey, *California; an intimate guide*, N. Y., 1935.

From MISS LOTTIE G. WOODS—S. F. Chamber of Commerce. *Law and order in San Francisco*, S. F., 1916.

NEWSPAPERS AND MAGAZINES

From MR. J. W. MAILLIARD, Jr.—*S. F. Herald*, March 21, 23, 24, 1860; *Evening Post*, S. F., Oct. 12, 1889; *Daily Alta California*, S. F., Oct 13, 1889; *Call*, S. F., Oct. 14, 1889; *Daily Examiner*, S. F., Oct. 14, 1889.

From MR. E. G. SCHMIEDELL—*California Chronicle*, S. F., Aug. 21, 1856; *Daily Sun*, Dec. 20, 1856.

From MISS LOTTIE G. WOODS—*Bulletin*, S. F., May 8, 1925; *Harper's Weekly*, March 20, 1880; *New San Francisco Magazine*, July, 1906; *Wasp*, Sept. 1, 1925.

PICTURES AND MAPS

From MISS ANNA W. BEAVER—Portrait of Emperor Norton (framed).

From MRS. ALICE B. CHITTENDEN—Drawing of Emperor Norton (framed), made by the donor in 1878.

From MR. J. W. MAILLIARD, Jr.—"At the play," by F. Marriott, July, 1879, lith. Britton & Rey, S. F.; Topographical & complete map of San Francisco, compiled . . . from the recent surveys of W. M. Eddy, county surveyor, and others, 1853.

From MR. E. G. SCHMIEDELL—"Earthquake times," by Edward Jump, S. F., Oct. 8, 1865 (framed); "San Francisco at the fair," by Edward Jump, 1864 (framed); Certificate of membership of Henry Schmiedell in Committee of Vigilance, May 15, 1856 (framed); U. S. Coast Survey Map of City of San Francisco, 1859 (framed).

DOCUMENTS AND MISCELLANEOUS

From MR. FRANCIS G. GRAVES—"Ordinance to create a public ferry between the Town of Oakland and the City of San Francisco," passed March 5, 1853, repealed June 15, 1855 (MS).

From MR. J. W. MAILLIARD, Jr.—Union election ticket, Abraham Lincoln for President (Sam Brannan one of Presidential electors).

From MR. E. G. SCHMIEDELL—S. F. deed, signed by Alcalde John W. Geary, 1849; S. F. deed, signed by C. C. Russ, 1852; S. F. deed, signed by Sheriff David Scannell, 1856; S. F. deed, Sheriff Scannell to Henry Schmiedell, 1857; S. F. quit-claim deed, Limantour to Henry Schmiedell, 1858; Invoices for lumber, etc., 1853 and 1854; receipt signed by David ["Steam Paddy"] Hewes, 1855; San Francisco Insurance Co. Policy No. 5, issued to Henry Schmiedell, 1862; Assessment receipt Kearny St. widening, S. F., 1867, and other items.

LOANS

From MISS JEAN SCOTT FRICKLETON—Harte, Bret, *Plain language from Truthful James* (on 9 loose pages), 1870; *Brother Jonathan* (newspaper), N. Y., July 4, 1848.

From SERGEANT P. H. MCGEE—Photograph of the payroll of S. F. Policemen, November, 1853.

From MISS PEARL ADAIR PEARSON—*California Daily Courier*, S. F., July 17, 1851; *San Jose Mercury*, June 3, 1894, May 28, 1896, and December, 1899; *Examiner*, S. F., May 28, 1896; many badges, election cards, broadsides, etc., mostly relating to San Jose.

In Memoriam

FRANK B. ANDERSON

1863-1935

FRANK BARSTOW ANDERSON, whose death occurred on September 17, 1935, was for more than thirty years a leading figure in the financial and industrial life of the Pacific Coast.

He was born in Macon, Georgia, in 1863. His father, George Wayne Anderson, was a Major in the Confederate Army, and his maternal grandfather, John McPherson Berrien, of Savannah, Georgia, a prominent lawyer, had occupied the position of Attorney General in the Cabinet of President Andrew Jackson.

In common with the experience of many other of the leading families of the South, the Civil War radically altered the fortunes of the Anderson family. Under the spur of necessity, Frank B. Anderson left school and at the age of 17 secured a very subordinate position with the American Exchange National Bank of New York. Through industry and capacity he rose, in a little over twenty years, to the office of the Vice President.

In 1902, The Bank of California, in San Francisco, requiring the services of a trained and able executive, induced Mr. Anderson to accept an official position. Thus, in 1902, he became Vice President of that institution. Seven years later he was elected President and in 1925 he was made the Chairman of its Board of Directors, which office he held until the date of his death.

Throughout all the more than thirty years of his business life in the West he exerted a profound influence. His advice was sought by many of our foremost industries, and he became a director and counsellor of many of these enterprises.

He was among the leaders of Western activities for financing this country's participation in the great war; and was the Director in the Twelfth Federal Reserve District of the National Credit Corporation, which had been formed to put a shoulder under the burden occasioned by the financial distress in 1932 to 1934.

Frank Barstow Anderson will long be remembered for his splendid work and the depth of his human understanding. CHARLES K. McINTOSH.

AMOS WILLIAMSON HUGGINS

1863-1935

Mr. Huggins, long a member of the Society, died at his home in Berkeley on October 11. He was born in St. Peter, Minnesota, March 24, 1863, and at the age of twelve came to California. For a time he lived in the San Joaquin valley, later in Oakland, but for the last fifty-five years he was a resident of Berkeley. In 1883 he became associated with A. I. Hall & Son, Inc., of which firm he was president for more than thirty years preceding his death. Mr. Huggins was held in high esteem by all who came in contact with him and was honored many times by both national and local associations of wholesale jewelers, all of which elected him to their executive councils and highest offices. Mr. Huggins' interest in this Society was a natural result of his early American background. He was descended from John and Priscilla Alden who came to the Plymouth colony in the Mayflower in 1620. Besides his widow, Mr. Huggins is survived by two sons and three daughters, one of whom, Miss Dorothy Huggins, is the Society's corresponding secretary. A host of friends throughout the nation loved Amos Williamson Huggins for his kindliness and outstanding character.

JOHN TREANOR

1883-1935

John Treanor, for a number of years a member of the Society, died October 20, 1935, as a result of a fall from the roof of a barn at his country residence known as Mataguay near Warner's Hot Springs in San Diego County.

Mr. Treanor was born at Fall River Mills, Shasta County, California, on July 31, 1883, the son of James Henry and Mary Harrington Treanor. He had a public school education but never went to college. At the age of fifteen he became a stenographer and continued as such for two years. Thereafter he was a salesman until 1908, when he became connected with the Riverside Cement Company as Sales Manager, becoming General Manager in 1912, and President in 1928. Mr. Treanor was also President of the San Diego County Water Company, a director of the Union Bank and Trust Company of Los Angeles,

and a Trustee of Pomona College and the Southwest Museum at Los Angeles. He leaves a widow and three children, two sons and a daughter. Although he had comparatively limited opportunities for schooling, he was a constant student and exceptionally well read. He was also very public spirited and a civic leader. Of John Treanor, Henry Raup Wagner writes: "In my judgment he was the outstanding citizen of Los Angeles."

JULIA HELEN WEBER

1853-1935

Miss Julia Helen Weber, the only daughter of the late Captain Charles M. Weber, died August 1, 1935 in Stockton, the city her father founded in 1847 and where she was born June 12, 1853 in the old Weber "hacienda" around which the social life of the community so long was centered. Her mother was Helen Murphy, daughter of Martin Murphy who reached California in 1844, three years after Captain Weber's arrival, and who settled in the Santa Clara Valley.

Miss Weber saw Stockton rise from a small town supplying the so-called Southern Mines to an important city of 60,000 inhabitants. Her lifetime nearly coincided with the existence of California as a state. She was one of the first to graduate from the Academy of Notre Dame in San Jose where her pioneer parents were married and where they lived until Captain Weber built his Stockton home on what was known as Weber Point.

Miss Weber was renowned for her charitable activities, following faithfully her mother's admonition that none who chanced along should go hungry. This became a Weber tradition. Every morning in the ranch house kitchen at her West's Lane headquarters, packages of edibles were put up for itinerants who might come seeking food.

In her religious life, benevolences, club work and social contacts during her active years, Miss Weber was a vital figure in Stockton. It was a matter of regret to her legion of friends when in her later life she retired to her ranch home, and with her passing at the age of eighty-three years these same friends keenly mourn her loss. Miss Weber is survived by a nephew, Charles M. Weber III of Stockton, and a niece, Mrs. Gerald Kennedy of San Francisco.

PERSONALIA AND MARGINALIA

IN THIS ISSUE appears the second installment of Mr. Earl Ramey's "Beginnings of Marysville," the third of the series of the stories of California towns. This, like Mr. J. Gregg Layne's "Annals of Los Angeles," and Dr. Oscar Osburn Winther's "The Story of San Jose—1777-1869," will be reprinted in book form. The Publication Committee wishes to announce that both of the issues of the series mentioned above are now out of print.

Mr. George L. Harding, whose exhaustive study of Agustin Vicente Zamorano was published by the Zamorano Club of Los Angeles, has consented to undertake the local history of Monterey. The task Mr. Harding has assumed is of such magnitude, involving so much research, that the date of publication will be announced later.

The course of California History lectures given by Professors Bolton, Priestley, and Paxson at the Society's rooms was successfully concluded early in December. This is the second year that the University of California, Extension Division, has cooperated with the Society in making it possible for members to study California history under the guidance of the foremost historians of our day. Dr. A. T. Leonard, Jr., member of the Society's Board of Directors, originated the plan, and through his endeavors has made it a feature of the Society's broadening functions. A third course of lectures will probably be given during the Fall of 1936.

Mr. Herbert G. Florcken, the author of "The Law and Order View of the Vigilance Committee of 1856," was born in Hoboken, New Jersey, in 1892. Upon leaving high school he entered business, and at the outbreak of the World War he enlisted in the Army, seeing service in France with the 91st Division. Disabled, he was discharged from the Army in 1919, whereupon, under the Government's rehabilitation program for veterans, he entered Stanford University. There he obtained in three and one-half years both his Bachelor's and Master's degrees. For four years he taught in the Palo Alto High School. In 1928 he was transferred to the Modesto Junior College, where he holds the position of chairman of the Social Science Department.

Mr. Lawton R. Kennedy has made an unusual gift to the Society. While printing the Index to the *Annals of San Francisco*, the idea occurred to him. In addition to the regular edition of 200 copies, Mr. Kennedy at his own expense printed 20 extra copies on fine rag paper. These he has bound in full cloth, with a frontispiece and label in color. He now asks that these copies be given, free of charge, to those 20 members who, during January and February, 1936, bring into the Society the greatest number of new members. To date the tireless efforts of Mr. Ernest A. Wiltsee have produced the greatest results. Mr. Kennedy's gift should stimulate others to follow the example of the Chairman of the Committee on Membership.

Mrs. Laura Retting White, who for the past two years gathered the material for Peters' *California on Stone*, has been engaged by the Society as an assistant to Miss Huggins, the corresponding secretary.